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GENERAL LAWS

PASSED BY THE

LEGISLATURE

OF THE

STATE OF PENNSYLVANIA,

DURING THE

SESSION OF 1871.

BY AUTHORITY.

HARRISBURG:

B. SINGERLY, STATE PRINTER.

1871.



GENERAL LAWS.

No. 1.

An Act

To provide for the ordinary expenses of the government, and other general and specific appropriations for the year Anno Domini one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the following sums be and the same are hereby specifically appropriated to the several objects hereinafter named, for the year commencing on the first day of June, Anno Domini one thousand eight hundred and seventy-one, to be paid out of any moneys in the treasury not otherwise appropriated :

Appropriations

SECTION 2. For the salary of the governor of the commonwealth, five thousand dollars.

Governor and heads of departments.

For the salary of the secretary of the commonwealth, three thousand five hundred dollars.

For the salary of the deputy secretary of the commonwealth, two thousand two hundred and fifty dollars.

For the salary of the auditor general, three thousand dollars.

For the salary of the surveyor general, two thousand five hundred dollars.

For the salary of the attorney general, three thousand five hundred dollars.

For the salary of the adjutant general, two thousand five hundred dollars.

For the salary of the state treasurer, five thousand dollars.

For the salary of the superintendent of common schools, two thousand five hundred dollars.

For the salary of the state librarian, twelve hundred dollars, and for the assistant nine hundred dollars.

For the salary of the superintendent of public printing, sixteen hundred dollars.

SECTION 3. For the salary of the private secretary of the governor, two thousand dollars.

Executive department.

For messenger in the executive department, nine hundred dollars.

For postage, telegrams, stationery and other incidental expenses, the sum of two thousand dollars, or so much thereof as may be necessary.

SECTION 4. For the salary of the chief clerk in the office of the secretary of the commonwealth, one thousand eight hundred dollars.

State department.

For the salary of seven other clerks, nine thousand eight hundred dollars, or one thousand four hundred each.

For the salary of messenger in the state department, nine hundred dollars, and the sum of two hundred dollars for extra service.

For postage, telegrams, freight and express charges, the sum of two thousand dollars, or so much thereof as may be necessary; and for the salary of a temporary clerk, at the rate of one hundred and twenty-five dollars per month, so long as the governor may require his services.

For blank books, one hundred and fifty dollars, or so much thereof as may be necessary.

For stationery, nine hundred dollars, or so much thereof as may be necessary.

For fuel, one hundred dollars, or so much thereof as may be necessary.

For cleaning offices, one hundred and twenty-five dollars, or so much thereof as may be necessary.

For miscellaneous expenses, three hundred dollars, or so much thereof as may be necessary.

Auditor general's office.

SECTION 5. For the salary of the chief clerk in the auditor general's office, one thousand eight hundred dollars.

For the salary of the clerk for settling the accounts of corporations, and having in charge the business of insurance companies, reports of railroads and manufacturing companies, one thousand eight hundred dollars.

For the salary of nine other clerks in the auditor general's department, the sum of one thousand four hundred dollars each.

For the salary of messenger, nine hundred dollars.

For the salary of night watchman, nine hundred dollars.

For postage and telegrams, seven hundred dollars, or so much thereof as may be necessary.

For stationery, five hundred dollars, or so much thereof as may be necessary.

For fuel, one hundred dollars, or so much thereof as may be necessary.

For miscellaneous expenses of the office, one hundred dollars, and for cleaning, seventy-five dollars, or so much thereof as may be necessary.

Surveyor general's office.

SECTION 6. For the salary of the chief clerk in the surveyor general's office, the sum of one thousand eight hundred dollars.

For the salary of thirteen other clerks in the surveyor general's office, the sum of one thousand four hundred dollars each.

For the salary of messenger, nine hundred dollars.

For postage in the surveyor general's office, seven hundred dollars, or so much thereof as may be necessary.

For stationery, five hundred dollars, or so much thereof as may be necessary.

For cleaning office and miscellaneous expenses, one hundred and fifty dollars; and for fuel, one hundred dollars, or so much thereof as may be necessary.

Attorney general's office.

SECTION 7. For the salary of the deputy in the office of the attorney general, one thousand eight hundred dollars.

For the salary of the messenger, nine hundred dollars.

For the contingent expenses in the attorney general's office, five hundred dollars, or so much thereof as may be necessary.

SECTION 8. For the salary of the chief clerk in the state State treasury. treasurer's office, one thousand eight hundred dollars.

For the salary of three other clerks in the treasury department, one thousand four hundred dollars each.

For the salary of the messenger, nine hundred dollars.

For the salary of the night watchman of the treasury department, nine hundred dollars.

For postage and telegrams in the treasury department, three hundred dollars, or so much thereof as may be necessary.

For stationery and blank books, three hundred dollars, or so much thereof as may be necessary.

For express charges, one hundred dollars, or so much thereof as may be necessary.

For fuel, seventy-five dollars, or so much thereof as may be necessary.

For miscellaneous expenses and cleaning, one hundred and fifty dollars, or so much thereof as may be necessary.

SECTION 9. For the salary of the chief clerk in the department of the adjutant general, the sum of one thousand eight hundred dollars, and for two other clerks in said department, the sum of fourteen hundred dollars each. Adjutant general's office and state arsenal.

For miscellaneous expenses, postage, telegrams, express charges and other incidental expenses, seven hundred dollars, or so much thereof as may be necessary.

For the salary of the messenger, nine hundred dollars.

For blank books, the sum of fifty dollars, or so much thereof of as may be necessary.

For stationery, the sum of three hundred dollars, or so much thereof as may be necessary.

For cleaning office and ordinary repairs, the sum of fifty dollars, or so much thereof as may be necessary.

For payment of six men at the arsenal in cleaning arms, accoutrements, et cetera, and doing carpenter work, for one year, four thousand two hundred dollars.

For coal, lumber, hardware and other materials, one thousand dollars, to be settled by the auditor general in the usual manner.

For the salary of the keeper of the arsenal, who shall be subject to the orders of the adjutant general, fourteen hundred dollars, to be paid by the adjutant general: *Provided*, That when not necessarily occupied or employed in or about the arsenal, he shall be engaged in copying rolls in the adjutant general's office.

For payment of freight charges, shipment of arms, et cetera, to organize companies, and for payment of expenses incidental to inspection, the sum of one thousand dollars, or so much thereof as may be necessary.

For payment to Henry Ritner, for services in the state arsenal, the sum of forty-four dollars.

SECTION 10. For the payment of pensions and gratuities, Pensions and gratuities. the sum of one hundred thousand dollars, or so much thereof

as may be necessary to pay pensions and gratuities not provided for by act of congress.

School department.

SECTION 11. For the salary of deputy superintendent of common schools, eighteen hundred dollars.

For the salary of three other clerks in the school department, one thousand four hundred dollars each.

For expenses of principals of state normal schools and superintendents, in attending annual examinations, as per bill on file in the school department, two hundred and fifty dollars, or so much thereof as may be necessary.

For engraving and printing warrants, one hundred and seventy-five dollars, or so much thereof as may be necessary.

For salary of messenger, nine hundred dollars.

For stationery and blank books in the school department, three hundred dollars, or so much thereof as may be necessary.

For postage, telegrams and express charges, one thousand dollars, or so much thereof as may be necessary.

For cleaning office and miscellaneous expenses of the school department, three hundred dollars, or so much thereof as may be necessary.

For expenses in packing and distributing blank forms, reports, school laws and decisions, to the school directors of the state, one thousand dollars, or so much thereof as may be necessary.

For publishing and circulating among the school officers of the state, the official decisions and instructions of the department, two thousand two hundred dollars, or so much thereof as may be necessary.

For traveling expenses on official business of the department, six hundred dollars, or so much thereof as may be necessary.

Common and normal schools.

SECTION 12. For the support of the common schools, for the school year which will begin on the first Monday in June, Anno Domini one thousand eight hundred and seventy-one, to be paid on warrants to be drawn by the superintendent in favor of the several school districts of this commonwealth, the sum of six hundred and fifty thousand dollars, inclusive of the salaries of the county superintendents, and inclusive of the sum of fifteen thousand dollars for the education of teachers in the normal schools of this commonwealth, to be applied in the same way and under the same conditions as a similar appropriation was directed to be applied by the general appropriation act, approved the eleventh day of April, one thousand eight hundred and sixty-six: *Provided*, That each student in a normal school, drawing an allowance from the state, must receive regular instruction in the science and art of teaching, in a special class devoted to that object, for the whole time such an allowance is drawn; and in the allowance to soldier students to normal schools, no distinction shall be made on account of age; and that all examinations of the graduating classes at the normal schools shall be conducted by a board, of which the state superintendent or his deputy shall be president, of two principals of normal schools, of whom the principal of the school where students are under examination shall be one, and two county superin-

tendents of the district in which the school is located, to be appointed by the state superintendent; inclusive, also, of the sum of twenty-five hundred dollars to the Lincoln University, to be used for the same purposes as the appropriations to normal schools: *Provided*, That the city of Philadelphia shall be entitled to a proper proportion of this appropriation without contributing to the salaries of the county superintendents; and that the sum of three thousand dollars of the amount received by the city of Philadelphia shall be paid to the teachers' institute of said city, for its corporate purposes; for the state annual school of the first district, at West Chester, fifteen thousand dollars: *Provided*, That no appropriation shall be made to said school hereafter, but this amount is accepted in full for all claims upon this commonwealth.

SECTION 13. For the salaries of the judges of the supreme court, the sum of thirty-five thousand dollars, or the sum of seven thousand dollars to each judge, for the present year, to be in lieu of all daily pay, mileage or other expenses heretofore allowed by law. Judges of supreme court.

SECTION 14. For the payment of the salaries of the judges of the district court, and the judges of the court of common pleas of the city of Philadelphia, the sum of forty-five thousand dollars, or five thousand dollars to each judge for the present year. Judges, Philadelphia.

SECTION 15. For the payment of the judges of the district court, and the president and assistant law judges of the court of common pleas of the county of Allegheny, twenty-five thousand dollars, or five thousand dollars to each one of the law judges for the present year. Judges, Allegheny county.

For the payment of the president judge of the Twelfth judicial district, who performs increased labor in trying the commonwealth civil cases, in the county of Dauphin, the sum of five thousand dollars. President judge Twelfth judicial district.

SECTION 16. For the payment of the salaries and mileage of the president, additional and associate law judges of the several courts of common pleas in this commonwealth, except in the city of Philadelphia, in the county of Allegheny, and the Twelfth judicial district, the sum of one hundred and thirty thousand dollars, or so much thereof as may be necessary; each president and law judge to receive four thousand dollars salary during the present year. Judges, courts of common pleas.

SECTION 17. For the payment and mileage of the associate judges of the courts of this commonwealth, the sum of fifty thousand dollars, or so much thereof as may be necessary; each associate judge to receive, in lieu of the salary now allowed by law, five dollars per day for every day he may be employed in the discharge of his official duties: *Provided*, That the salary of no associate judge shall be less than three hundred dollars. Associate judges

SECTION 18. For the payment of the interest of the funded debt of the commonwealth, which fall due on the first days of July and August, Anno Domini one thousand eight hundred and seventy-one, and the first days of January and February, Anno Domini one thousand eight hundred and seventy-two, Interest on State debt.

the sum of one million seven hundred thousand dollars, or so much thereof as may be necessary.

Public printing.

SECTION 19. For the public printing, folding, stitching and binding, fifty thousand dollars, or so much thereof as may be necessary, on settlement of the accounts of the public printer according to law; that the printing of documents, et cetera, ordered by either branch of the legislature, or the clerks or committees thereof during the present session, be and the same is hereby declared legal and valid; the accounts for the same to be audited and settled in the usual manner by the auditor general: *Provided*, That the same be done at the rates prescribed in the contract for public printing.

Legislature, pay of members, &c.

SECTION 20. For the payment of the expenses of the legislature, including the pay and mileage of members, clerks and officers of each house appointed for this session, and the amount authorized by law for stationery and postage, the sum of three hundred and seventy-five thousand dollars, or so much thereof as may be necessary, to be settled by the auditor general; and the payment out of said sum to each of the members of the senate and house of representatives, for salary, shall be one thousand dollars and mileage; and the clerks and officers of each house shall be paid each such amount as is authorized by law and mileage; the foregoing sum to include the payment of all officers and employees; for the pay of pages, two hundred and fifty dollars each: *Provided*, The number of pages employed by the house of representatives shall not exceed sixteen, and in the senate the number of pages shall not exceed nine; to the engineers, for each day not exceeding ninety days employed during the recess, three dollars per day; to William Styers, for services in the librarian's room and other services, four hundred dollars and extra compensation.

Pages.

Engineers.

Wm. Styers.

General judiciary committee, for services in coal investigation.

For the pay of the members of the judiciary general committee, for services in the coal investigation, twenty-five hundred dollars, or five hundred dollars each.

Committee on public printing.

For the pay of the select committee on public printing, nine hundred dollars, or three hundred dollars each.

B. F. Burrows and W. H. Weaver.

To Benjamin F. Burrows and William H. Weaver, each, for keeping up fires in the speakers' room and other extra services, two hundred and fifty dollars.

John S. Lynch.

For John S. Lynch, three hundred dollars, for deficiency in his compensation for janitor during last year, he having received only half the compensation uniformly paid to all others for like services.

H. J. Mason.

To H. J. Mason, stenographer and clerk of the committee engaged in the investigation of the coal difficulties, the sum of seven hundred dollars, and the further sum of one hundred and fifty dollars as clerk to the committee on public printing; and to J. J. Hall, as assistant stenographer in the investigation of the coal difficulties, the sum of five hundred dollars.

J. J. Hall.

Witnesses before senate committee on printing.

For the payment of witnesses before the select committee on printing of the senate, at the present session, and subpoenaing the same, the sum of one hundred dollars, or so much thereof as may be necessary; the bill therefor to be certified

by the chairman of said committee and settled by the auditor general.

To Frank M'Laughlin, of Philadelphia, for attendance at Harrisburg, on several occasions, as the lowest qualified bidder for the public printing, and attendance before the select committee on printing of the senate, the sum of three hundred dollars.

Frank M'Laughlin.

To Daniel Best, for labor performed in the basement during the present session, one hundred and fifty dollars.

Daniel Best.

To Jacob Styers, three months' extra service during the recess, at the same rate as a transcribing clerk, including extra compensation; the said librarian to place forty-one copies of the *Daily Legislative Record* at the public bindery to be bound, thirty-six copies for the use of the senators and principal clerks, four copies for the state library, and one to be reserved for the use of the senate, and to be distributed to the senators and clerks by the librarian.

Jacob Styers.

To have bound, &c., certain number of copies of Legislative Record.

For the payment of the watchmen of the senate and house of representatives, appointed under authority of resolutions of each house, three dollars per day each from the commencement of the present session; and the clerks of the senate and house shall appoint one day and one night watchman for the capitol building, at a compensation of three dollars per day each, which the state treasurer is hereby authorized to pay on the certificate of the chief clerks of the senate and house.

Watchmen, senate and house.

Clerks to appoint watchmen.

To the clerk of the house of representatives seven hundred dollars, for expenses in boxing and forwarding matter for members during the session, as directed by a resolution of the house; and the resident clerk shall receive from the state printer the bound copies of the *Daily Journal* and forward a copy to each member of the house; and the sum of two hundred and fifty dollars is hereby appropriated to pay the expenses of forwarding the same.

Clerk of house, for expenses incurred in forwarding matter for members.

Forwarding bound copies of Daily Journal to members.

To John Cannon, for services rendered in transcribing during the present session, the sum of one hundred dollars, and to Harry C. Jones, for services rendered the comparing committee of the senate, in addition to his pay as a page, the sum of one hundred dollars; the state treasurer is hereby authorized and required to pay to J. Ziegler, chief clerk of the senate, two hundred and fifty-six dollars and seventy-five cents, amount paid by him for labor done in the basement during the present session, and before the regularly elected officers took charge of their positions.

John Cannon.

Harry C. Jones.

J. Ziegler, for amount paid for labor done in basement.

To the widow or legal representatives of William G. Bosler, two hundred dollars, for services as transcribing clerk in the senate at the opening of this session.

Legal representatives of W. G. Bosler.

That the pay of sergeant-at-arms in the senate and house of representatives shall be the same as transcribing clerk.

Sergeants-at-arms.

SECTION 21. For packing and distributing the laws and journals of the legislature, to be performed under the direction of the secretary of the commonwealth, thirteen hundred dollars, or so much thereof as may be necessary.

Packing and distributing laws and journals.

SECTION 22. For the payment of postage, labor and express charges, and other miscellaneous expenses in the office of the resident clerk of the house of representatives during the

Miscellaneous expenses in offices of resident clerk of house and clerk of senate.

recess, the sum of one thousand dollars, and for similar expenses in the office of the clerk of the senate, the sum of eight hundred and fifty dollars, or so much thereof as may be necessary, to be settled by the auditor general in the usual manner.

Water and gas for public buildings and grounds.

SECTION 23. For the payment of the city of Harrisburg, for supplying the public buildings with water, according to the act of April the twenty-eighth, Anno Domini one thousand eight hundred and forty, the sum of hundred and fifty dollars; and also for gas for the public buildings and the walks, such amount as may be found due the Harrisburg gas company, on the contract with the company, and upon a regular account being rendered to the auditor general, who is hereby authorized to examine and settle the same in the same mode and manner as other accounts are settled in said department, in pursuance of its charter and supplements, to be paid on the warrant of the auditor general.

Indexing journals.

SECTION 24. That the state treasurer is hereby authorized and directed to pay to each of the chief clerks, for the expense of indexing the journals, the sum of two hundred dollars; and to each transcribing clerk of the house of representatives and senate, the sum of two hundred dollars, in addition to the amount now allowed by law for their services during the session of the legislature; and so much of any act heretofore passed inconsistent herewith, be and the same is hereby repealed; and each sworn officer of the house and senate shall be entitled to mileage; and to the chief clerk in the office of the secretary of the commonwealth, the sum of two hundred dollars for indexing the pamphlet laws.

Additional compensation to transcribing clerks.

Indexing pamphlet laws.

Salaries and appropriations, how paid, &c.

SECTION 25. That all annual salaries herein provided for, and also all appropriations to penitentiaries and charitable institutions, shall be paid quarterly, at the office of the state treasurer, unless otherwise provided by law; and that no money appropriated by this act for any specific object, shall be applied to any other of the charitable institutions, penitentiaries or houses of refuge.

Deaf and dumb, for instruction of.

SECTION 26. For the instruction of the indigent pupils in the Pennsylvania institution for the instruction of the deaf and dumb, the sum of two hundred and fifty dollars per annum, for every deaf mute of this commonwealth taught at said institution, to be paid semi-annually, on the warrant of the governor, in favor of the president of said institution, the evidence of which shall be furnished to the state treasurer; and for deficiency in appropriation for support of pupils for the year one thousand eight hundred and sixty-seven, two thousand seven hundred and ninety-five dollars: *Provided*, That the amount drawn from the treasury for the instruction of the deaf and dumb pupils, shall not exceed the sum of forty-seven thousand seven hundred and ninety-five dollars.

Pennsylvania institution for blind.

SECTION 27. For the Pennsylvania institution for the instruction of the blind, the sum of thirty-three thousand dollars, to be paid in proportion to the number of indigent pupils from the several counties of the commonwealth, at the rate of three hundred dollars for each pupil, the evidence of which is to be furnished to the state treasurer.

SECTION 28. To the Western Pennsylvania hospital for the insane, for salaries of officers and wages of the employees, twenty-one thousand dollars. Western Penn-
sylvania hospi-
tal for insane.

Insurance on buildings, et cetera, two thousand dollars; for grading and improving grounds and protecting public buildings, ten thousand dollars.

SECTION 29. For the Pennsylvania State Lunatic hospital, at Harrisburg, for the payment of salaries and wages, and for the support of the house, the sum of twenty thousand dollars; for the purpose of heating and ventilating the building, the sum of fifty thousand dollars, or so much thereof as may be necessary. Pennsylvania
state lunatic
hospital, Har-
risburg.

SECTION 30. For the Pennsylvania training school for feeble-minded children, at Media, in the county of Delaware, the sum of twenty-three thousand dollars, for the maintenance and training of one hundred pupils: *Provided*, That each representative district in the commonwealth shall be entitled to send the number of persons to said institution that they are entitled to members on the floor of the house of representatives. Pennsylvania
training school
for feeble-
minded chil-
dren.

SECTION 31. For the house of refuge in Philadelphia, thirty-seven thousand five hundred dollars. House of re-
fuge, Philadel-
phia.

SECTION 32. For the house of refuge of western Pennsylvania, twenty-five thousand dollars. House of re-
fuge, Western
Pennsylvania.

SECTION 33. For the Eastern Experimental farm, the sum of two thousand dollars. Eastern experi-
mental farm.

SECTION 34. For the payment of the chaplain of the house of representatives, the sum of three hundred dollars, and for the payment of the chaplain of the senate, the sum of three hundred dollars, and extra compensation. Chaplains,
house and sen-
ate.

SECTION 35. For the fire companies of the city of Harrisburg, the sum of seven hundred dollars, to be distributed in equal amounts to and among said companies. Fire companies,
Harrisburg.

SECTION 36. For the Eastern penitentiary, for the payment of the salaries of the officers, twenty-seven thousand dollars, in equal quarterly payments, on or before the fifteenth day of the months of June, September and December, Anno Domini one thousand eight hundred and seventy-one, and March, Anno Domini one thousand eight hundred and seventy-two; and for each discharged convict from the city of Philadelphia, or whose residence is within fifty miles thereof, the sum of five dollars, and ten dollars to each convict whose residence or settlement is fifty miles or over from the penitentiary. Eastern peni-
tentiary.

For repairs to buildings, walls, doors, improvements, et cetera, two thousand three hundred and sixty dollars.

For books and stationery for prison and prisoners' library, one thousand dollars.

For introduction of gas, two thousand two hundred and ten dollars.

For payment of municipal claims, sewers, et cetera, one thousand and eighty-six dollars.

SECTION 37. For the Western penitentiary, for the payment of the salaries of officers, the sum of twenty-two thousand and four hundred dollars; for library, five hundred dollars; for sewerage and paving, three thousand dollars; for deficit in construction of chapel, three thousand four hundred and fifty-eight dollars and sixty-two cents; the salaries provided for in Western peni-
tentiary.

this section to be paid in three equal quarterly payments, on or before the fifteenth of the months of June, September and December, Anno Domini one thousand eight hundred and seventy-one, and March, Anno Domini one thousand eight hundred and seventy-two; and for each convict whose residence or settlement is within fifty miles of said penitentiary, the sum of five dollars, and ten dollars to each convict whose residence or settlement is fifty miles or over from said penitentiary.

Hospital for insane at Danville

SECTION 38. For the hospital for the insane for the northern district of Pennsylvania, at Danville, for the prosecution of the work on main building, the sum of two hundred and fifty thousand dollars, to be used and applied only to the completion of the building now under roof and for which the foundations are laid, and the necessary out-buildings, so that the said hospital may be ready for the reception of patients, and to be paid quarterly, on vouchers to be approved by the auditor general, in proportion as the work is completed.

Board of public charities.

SECTION 39. For the salary of the general agent and secretary of the board of public charities, three thousand dollars per annum; for postage, telegrams and express charges, the sum of two hundred dollars, or so much thereof as may be necessary.

For fuel and cleaning room, the sum of three hundred dollars, or so much thereof as may be necessary, to include pay of messenger.

For stationery, the sum of one hundred dollars, or so much thereof as may be necessary.

For actual traveling and other necessary expenses of the commissioners and general agent of the board of public charities, one thousand dollars, or so much thereof as may be necessary.

State library.

SECTION 40. For repairs to gas fixtures in state library, one hundred dollars.

For additional alcoves, two thousand dollars.

For painting new and old cases, nine hundred and ninety-three dollars.

For moving books, taking up and relaying carpets, three hundred dollars.

For plastering and altering panel work, three hundred and twenty dollars.

For miscellaneous books, one thousand dollars.

For law books and exchanges, fifteen hundred dollars.

For reports of supreme court for year one thousand eight hundred and seventy, six hundred dollars, for the purpose of exchange with other states.

For freight on books, express, cleaning room, et cetera, four hundred dollars.

For marking books, one hundred dollars.

Historical department.

SECTION 41. For the salary of the state historian, for a period of one month, two hundred and fifty dollars.

For the salary of two clerks, two hundred and fifty dollars.

For miscellaneous expenses, one hundred and fifty dollars: *Provided*, That before any money is paid the state historian he shall make an assignment of the copyright of Bates' history to the state.

Public buildings and grounds.

SECTION 42. For the salary of the superintendent of the public buildings and grounds, fourteen hundred dollars.

For three assistant watchmen, an annual salary of nine hundred dollars each, to be paid monthly, and for necessary repairs and improvements to public buildings and grounds, seven thousand dollars, and for painting at capitol building, including outside work, fifteen hundred dollars.

For seats for public grounds, to Thomas J. Close, fifteen hundred dollars.

For painting at land department, five hundred dollars.

For macadamizing walks and grounds, five hundred dollars.

For new furniture for executive chamber, one thousand dollars, to be expended under the directions of the governor of the commonwealth, and to be paid on vouchers to be approved by the auditor general.

For new furniture for executive mansion, two thousand dollars, to be expended under the direction of the governor of the commonwealth, and to paid on vouchers to be approved by the auditor general.

For winding and oiling the clock on the capitol and repairing the same, the sum of one hundred and twenty-five dollars, to be paid on an account certified by the clerks of the two houses; and the superintendent is hereby required to make a detailed statement of his expenditures to the next legislature.

SECTION 43. For the expenses required by the act, entitled "An Act to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers and sailors, and the destitute children of permanently disabled soldiers and sailors of the state," approved April ninth, one thousand eight hundred and sixty-seven, as follows, namely: That from and after the passage of this act all the duties performed by the superintendent of soldiers' orphans shall be done and performed by the superintendent of common schools: *Provided*, That the superintendent of common schools shall, before entering upon the discharge of his duties as superintendent of soldiers' orphans, give bond, with three sufficient securities, to be approved by the auditor general, and filed in the office of the secretary of the commonwealth, in the sum of twenty thousand dollars, for the faithful performance of his duties as superintendent of said orphans' schools: That for the additional duties imposed by this act upon the superintendent of common schools, he shall receive, annually, twelve hundred and fifty dollars, in addition to his present salary as superintendent of common schools.

Duties of superintendent of soldiers' orphans to be performed by superintendent of common schools.

To give bond.

Compensation.

For the salary of James L. Paul, or his successor, a clerk, sixteen hundred dollars.

Clerk hire, &c

For the salary of one other clerk, fourteen hundred dollars.

For the salary of the inspector or examiner, the sum of eighteen hundred dollars.

For the salary of one female assistant inspector and examiner, twelve hundred dollars.

For postage and telegrams, four hundred dollars, or so much thereof as may be necessary.

For stationery and blank books, one hundred and fifty dollars, or so much thereof as may be necessary.

For printing, four hundred dollars, or so much thereof as may be necessary.

For transferring pupils, five hundred dollars, or so much thereof as may be necessary.

For funeral expenses, three hundred dollars, or so much thereof as may be necessary.

For traveling expenses of the superintendent and his assistant, five hundred dollars, or so much thereof as may be necessary.

For office furniture, one hundred and fifty dollars, or so much thereof as may be necessary.

For the education and maintenance, including clothing, of each orphan of less than ten years of age, admitted into such orphan homes as receive now or have received appropriations from the state, the sum of one hundred dollars, or so much thereof as may be necessary.

Education and maintenance of orphans.

For the education and maintenance, including clothing, of each orphan, of less than ten years of age, admitted into such orphan homes or institution, as have received no appropriation from the state, the sum of one hundred and fifteen dollars, or so much thereof as may be necessary: *Provided*, That no soldiers' orphans be admitted into any such institution under eight years of age.

Auditor general to issue certain warrants.

For the education and maintenance, including clothing, of each orphan above the age of ten years, admitted into such institutions as may be selected for them by the proper authorities, and which have received no appropriation from the state, the sum of one hundred and fifty dollars, or so much thereof as may be necessary; the gross amount appropriated for all purposes connected with the soldiers' orphans schools not to exceed one hundred and thirty thousand dollars for each quarter; and all accounts to be settled by the auditor general and state treasurer in the usual manner, and to be paid on the warrant of the auditor general; and the auditor general is hereby authorized and directed to issue his warrants to the several principals and treasurers of the soldiers' orphans' schools and homes, for the sums due such schools and homes, for the quarter ending May thirty-first, one thousand eight hundred and seventy, as determined by his settlement of their bills for said quarter; and the state treasurer is hereby authorized and directed to pay the same out of the unexpended balances, which have accrued or which may accrue from the appropriations to soldiers' orphans' schools for the year ending May thirty-first, one thousand eight hundred and seventy-one and one thousand eight hundred and seventy-two, and out of the moneys returned to the treasury from the loans made to certain schools, under the act of April fifteenth, one thousand eight hundred and sixty-seven, and its supplement; and it is hereby further declared, that no child born after the first day of January, Anno Domini one thousand eight hundred and sixty-six, shall be admitted into any of the institutions aforesaid; and it shall be the duty of the superintendent, on or after the first day of June next, to discharge from any and all the institutions which have received or which shall hereafter receive any such children, under the provisions of the act of April ninth, Anno Domini one thousand eight hundred and sixty-seven, as shall have arrived at the age of

Children born after certain date not to be admitted into institutions.
Superintendent to discharge from institutions children who arrive at age of sixteen years.

sixteen years; and so much of the act, entitled "An Act to provide for the education and maintenance of the destitute orphans of the deceased soldiers and sailors of the state," approved April ninth, one thousand eight hundred and sixty-seven, as conflicts herewith, be and the same is hereby repealed; and it is hereby declared to be the further duty of the superintendent to prescribe the kind of clothing to be worn by the children in said orphans' schools, and to see that each receives an amount of the full value of twenty-five dollars.

To prescribe kind of clothing to be worn by children, &c.

For D. G. Klein, superintendent of the soldiers' orphan school at Jacksonville, Centre county, five thousand dollars, or so much thereof as the auditor general, secretary of the commonwealth and the state treasurer, upon the examination of the accounts of the said D. G. Klein, may find due him from the state.

D. G. Klein.

For Professor Henry D. Walker, in further and final compensation for damages occasioned by the removal of the soldiers' orphan school from Orangeville, Columbia county, five thousand dollars.

Henry D. Walker.

SECTION 44. For expenses in executing the corporation tax laws, the sum of one thousand dollars, or so much thereof as may be necessary, to be paid on the warrant of the auditor general, upon accounts regularly settled according to law.

Expenses in executing corporation tax laws.

SECTION 45. For the Northern home for friendless children, the sum of five thousand dollars, one thousand dollars of which shall be exclusively used in and for the hospital department of said institution.

Northern Home for friendless children.

SECTION 46. For the Home of the friendless in Harrisburg, three thousand dollars, to be applied to the erection of buildings, and for Saint Joseph's orphan asylum, at Erie, two thousand dollars.

Home of friendless, Harrisburg, and St. Joseph's orphan asylum at Erie.

SECTION. 47 For the Home for little wanderers, the sum of three thousand dollars.

Home for little wanderers.

SECTION 48. For the Union school and Children's home for friendless children, in Philadelphia, the sum of two thousand dollars.

Union school, &c., Philadelphia.

SECTION 49. For repairs to the powder magazine and superintendent's house, in Philadelphia, eight hundred dollars, or so much thereof as may be necessary.

Powder magazine, Philadelphia.

SECTION 50. To the managers of the Soldiers' home of Philadelphia, the sum of two thousand dollars.

Soldiers' home of Philadelphia.

SECTION 51. To the publishers of the Legislative Journal, fourteen dollars per page, in accordance with the contract, the amount to be settled by the auditor general, as per contract; and for making out an index to the journal, the further sum of three hundred dollars; and that the publishers of said journal be authorized to resume the publication of the same at the commencement of the next session, and continue the same, under the terms of the existing contract, until otherwise ordered by the two houses.

Publishers of the Legislative Journal.

Authorized to resume and continue publication of journal next session.

SECTION 52. For the payment of David Derickson, six thousand dollars, W. M. Hall, six thousand five hundred dollars, commissioners to revise the civil code, and in full for said service.

David Derickson and W. M. Hall.

Womelsdorf
orphans' home.

Corporations,
penitentiaries,
&c., to take
vouchers and
make quarterly
settlements
with auditor
general.

Philadelphia
and Reading
railroad com-
pany.

Military claims

L. Rogers.

Expenses inci-
dent to calling
out military of
Ninth division.

Philadelphia
Orthopædic hos-
pital.

Legal represen-
tatives of Hon.
Ellis Lewis.

Hahnemann
Medical hos-
pital, Philadel-
phia.

Home for
friendless chil-
dren, Wilkes-
barre.

SECTION 53. For the Womelsdorf Orphans' home of Berks county, the sum of three thousand dollars.

SECTION 54. That all corporations, penitentiaries, charitable and educational institutions receiving and disbursing state appropriations, shall take vouchers for the money so expended by them, and shall make quarterly settlements with the auditor general.

SECTION 55. For payment of the Philadelphia and Reading Railroad Company, for transportation of bodies of deceased soldiers, the sum of ten dollars and seventy-five cents, on vouchers to be settled by the auditor general.

SECTION 56. For the payment of the military claims passed in pursuance of the act of assembly, approved April sixteen, one thousand eight hundred and sixty-two, the sum of forty thousand dollars, or so much thereof as may be necessary; and that all claims shall be filed on or before the first day of May, one thousand eight hundred and seventy-two; and that no claim under the act of April sixteen, one thousand eight hundred and sixty-two, and its supplements, shall be allowed unless filed before the first day of May aforesaid.

SECTION 57. To L. Rogers, for clerical services in the senate during the present session, the pay as provided by this bill, and extra compensation of an assistant clerk of the senate for this session.

SECTION 58. The state treasurer is hereby authorized and directed to pay the necessary expenses incident to the calling out by the governor of the military of the Ninth division, to suppress the recent riots in Luzerne county, and on pay rolls prepared according to law and certified by the adjutant general, and accounts certified by the major general commanding said division, and approved by the auditor general.

SECTION 59. To the Philadelphia Orthopædic hospital, the sum of ten thousand dollars, to assist in the purchase of a lot of ground and suitable building for said hospital: *Provided*, That a like sum shall be contributed for the same purpose, by the friends of the hospital, to be certified to the satisfaction of the governor; and the money hereby appropriated, or the property purchased therewith, shall never be diverted to any other purpose; but in case of the abandonment of the building for the use of the said hospital, the same shall revert to the state; and the conditions of this appropriation shall be set forth at large in the deed of conveyance of the real estate, which shall be duly recorded, and a copy thereof deposited with the auditor general.

SECTION 60. To the legal representatives of the honorable Ellis Lewis, in full for services as commissioner to revise the penal code, in the years one thousand eight hundred and fifty-eight, and one thousand eight hundred and fifty-nine, sixteen hundred and sixty-six dollars and sixty-six cents. To the Hahnemann Medical hospital of Philadelphia, five thousand dollars, to be applied for the furnishing of the buildings, and for medical supplies for the poor.

SECTION 61. For the Home for friendless children for the borough of Wilkesbarre, in the county of Luzerne, five thousand dollars, upon the provisions contained in the thirty-fifth

section of an act to provide for the ordinary expenses of the government, and other general and specific appropriations, approved April sixth, one thousand eight hundred and seventy.

SECTION 62. To D. F. Etzweiler, in charge of the speaker's room in the senate, and as clerk to the senate apportionment committee, and James Worrell, in charge of the speaker's room in the house, and R. T. Wood, who acted as transcribing clerk of the house, each the pay of a transcribing clerk and extra compensation, as provided in this bill, and by joint resolution; to eight clerks in the secretary of the commonwealth's office, two hundred dollars each, for extra services in arranging and indexing papers.

D. F. Etzweiler,
James Worrell
and R. T. Wood.

Arranging papers in secretary's office.

SECTION 63. For the Antietam National cemetery, in Washington county, Maryland, five thousand dollars, in full of the the *pro rata* share of Pennsylvania to said cemetery.

Antietam National cemetery

SECTION 64. For the removal of the confederate dead who fell in the battle of Gettysburg, whose bodies are yet remaining on the battle ground, to Washington cemetery, in Maryland, three thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the trustee or trustees, to be appointed by the governor of the commonwealth; and the state treasurer is hereby authorized and required to pay the same, upon the orders drawn by the said trustee or trustees, upon vouchers filed and allowed by the auditor general as in other cases.

Removal of confederate dead who fell at Gettysburg.

SECTION 65. For painting and necessary repairs at the treasury department, four hundred dollars, or so much thereof as may be necessary, to be paid on vouchers allowed by the auditor general as in other cases.

Painting, &c., at treasury department.

SECTION 66. To the society for alleviating the miseries of prisoners, in the city of Philadelphia, the sum of three thousand dollars, to be applied to the relief of prisoners discharged from the Eastern penitentiary; for the expenses of the committee created under the joint resolution, approved March the eighth, one thousand eight hundred and seventy-one, in relation to the septennial celebration at Philadelphia, one thousand eight hundred and seventy-six, five thousand dollars, or so much thereof as may be necessary, to be paid on warrants drawn by the governor, and attested by the speakers of the senate and house of representatives; and the state treasurer is hereby authorized and directed to pay the same on said orders.

Society for alleviating miseries of prisoners, Philadelphia.

Committee in relation to centennial celebration at Philadelphia.

SECTION 67. That the state of Pennsylvania shall issue, for the relief of the citizens of Chambersburg and vicinity, whose claims for war damages were adjudicated under the act approved fifteenth of February, A. D. one thousand eight hundred and sixty-six, certificates of loan to the amount of three hundred thousand dollars, to be appropriated by the state treasurer *pro rata* to said claims; and to each of said claimants, or to his, her or their proper representatives, there shall be issued a certificate or certificates to the amount of the appropriation to each claim; which certificates shall be signed by the governor and state treasurer, and be countersigned and registered by the auditor general, and be free from all taxes except those imposed by the laws of the United States, and bear six per centum interest per annum, payable at the treasury

Relief of citizens of Chambersburg and vicinity.

of the state, on the first days of July and January of each year; and the sum of eighteen thousand dollars is hereby appropriated, out of any moneys in the treasury not otherwise appropriated, to pay the interest on said certificates for the current year; the said certificates shall be redeemable in five years, or sooner, at the option of the commonwealth; upon the issue of said certificates to the claimants respectively, as hereinbefore provided, the state shall become the holder of said claims, and the governor shall demand the payment of the amounts heretofore paid and hereby appropriated to said claims, from the general government, and appoint such agents for the purpose as may be deemed necessary; and out of any moneys appropriated to said claims by the United States, the certificates of loan hereby authorized shall be first redeemed; and any additional amount repaid to the state on account of advancements to said claims, shall be appropriated *pro rata*, by the state treasurer, to the claims in the border counties for war damages, adjudicated under the several acts of assembly, excepting and excluding those adjudicated under the act of fifteenth of February, one thousand eight hundred and sixty-six: *Provided*, That nothing herein shall be construed to make the state in anywise liable for or on account of any of said claims.

Repairs, &c., in
senate post-
office depart-
ment and ante-
rooms.

SECTION 68. For making repairs and improvements in the senate post office department and ante-rooms, the sum of five hundred dollars, or so much thereof as may be necessary, to be expended under the direction of the chief clerk of the senate.

House commit-
tee on Marine
hospital and
Erie harbor.
A. W. Cook.

SECTION 69. To each member of the house special committee on Marine hospital and Erie harbor, appointed on recommendation of special message of the governor, the sum of three hundred dollars, and to A. W. Cook, clerk of said committee, the sum of four hundred dollars.

Employees ap-
pointed by the
speakers, &c.,
entitled to ex-
tra pay.

The employees appointed by the speakers and clerks of the senate and house shall be entitled to the extra pay authorized to be paid by the act of twenty-fourth May, Anno Domini one thousand eight hundred and seventy-one, and the state treasurer is hereby authorized to pay the same, when properly certified by the speakers and clerks of the senate and house; and the sum of five thousand dollars, being the balance due P. F. Rothermel, for the picture of the battle of Gettysburg, which sum shall not be paid until the twenty-second day of February, Anno Domini one thousand eight hundred and seventy-two, to which date the time for the delivery of the picture is hereby extended.

P. F. Rothermel

Repeal.

SECTION 70. All acts of assembly, or parts of acts, inconsistent with the provisions of this act, be and the same are hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 2.

An Act

Extending the sheriff's interpleader act to attachments issued under the act, entitled "An Act relative to fraudulent debtors."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That section nine of an act, entitled "An Act extending the chancery powers of and to the jurisdiction and proceedings in of certain courts," approved the tenth day of April, Anno Domini one thousand eight hundred and forty-eight, and also section first of an act, entitled "An Act extending the sheriff's interpleader act of Philadelphia city and county to the several counties of this commonwealth," approved the tenth day of March, Anno Domini one thousand eight hundred and fifty-eight, be extended and applied to any claim which has been or shall be made by any person or persons not being the parties against whom process has issued, to any goods or chattels taken, or entitled to be taken, by or under attachment issued under the act, entitled "An Act relative to fraudulent debtors," approved the seventeenth day of March, Anno Domini one thousand eight hundred and sixty-nine: *Provided,* That when the proper court shall not be in session, any law judge thereof shall have power at chambers to hear and determine any rule to show cause, and to make such order as shall appear to be proper and just under the circumstances of the case.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirtieth day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W GEARY.

No. 3.

A Supplement

To an act, entitled "An Act providing for the election of district attorneys," allowing district attorneys to hold office in the militia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That section six of an act, entitled "An Act providing for the election of district attorneys," approved May third, Anno Domini one thousand eight hundred and fifty, shall not be construed so as to prohibit the district attorney of any county from holding any office or commission in the militia of the state.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The thirtieth day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 4.

An Act

Supplementary to the acts relating to lateral railroads.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in all proceedings now pending, or which may hereafter be instituted to procure the right to construct lateral railroads, or for the acquisition of wharves or landings, or for either of said purposes, the appeal to court from the report of the viewers shall extend not only to the assessment of damages but to the question of the necessity of the proposed lateral railroad, wharf or landing, and shall also extend to the question whether such landing or wharf is necessary to the owner thereof, for his own uses or purposes; and if the jury shall so find, the same shall not be taken from him.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 5.

An Act

Relating to the offices of county treasurer and county auditor.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act no person shall be eligible to the office of county auditor who within two years shall have been treasurer of the county. Eligibility to office of county auditor.

SECTION 2. So much of third section of the act, entitled "An Act relating to the election of county treasurers, and for other purposes," approved the twenty-seventh day of May, Anno Domini one thousand eight hundred and forty-one, as makes a county auditor ineligible to the office of county treasurer until the expiration of one year after the term for which he shall have been elected, is hereby repealed: *Provided*, No person holding the office of county auditor shall at the same time be county treasurer. Eligibility to office of county treasurer.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 6.

An Act

To extend the provisions of the act of March twenty-seventh, one thousand eight hundred and sixty-seven, entitled "An Act to enlarge the jurisdiction of the courts of common pleas of this commonwealth, relative to granting charters of incorporation and confirming those heretofore granted."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the third section of the act of March twenty-seventh, one thousand eight hundred and sixty-seven, entitled "An Act to enlarge the jurisdiction of the courts of common pleas of this commonwealth, relative to granting char-

ters of incorporation and confirming those heretofore granted," be and the same are so far extended as to authorize and empower the said courts of common pleas to grant charters of incorporation to park associations and associations for the propagation of game and fish.

JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 7.

A Supplement

To an act, entitled "An Act for the better and more impartial selection of persons to serve as jurors in each of the counties of this commonwealth," approved April tenth, one thousand eight hundred and sixty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the number of persons to be selected by the jury commissioners and president judge, or additional law judge, or a majority of them, under the second section of the act of April tenth, one thousand eight hundred and sixty-seven, to serve as jurors in the several courts of the respective counties of this commonwealth, to which said section refers, shall in all cases in which that number has not been designated by the court of common pleas of the county, at the term of the court next preceding the annual meeting of said jury commissioners, president judge or additional law judge to make such selection, be the same number which had been selected and placed in the proper jury wheel or wheels for the year next preceding; and the selection and placing of the names of such number in the proper wheel or wheels, by said jury commissioners, president judge or additional law judge, or a majority of them, shall have the same effect as though the number had been designated by the court of common pleas of the respective county at the time required by said several sections of said act.

JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 8.

An Act

To declare the meaning of an act compelling railroad and other corporations to pay counsel fees of plaintiff in certain cases, approved May third, one thousand eight hundred and sixty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the true intent and meaning of an act, entitled "An Act compelling railroad and other corporations to pay fees of plaintiffs in certain cases," approved May third, one thousand eight hundred and sixty-six, is and is hereby declared to be that corporations named in said act shall only be liable to pay the plaintiff's counsel fees, in case said corporations have contested the validity of the bonds for the recovery of the interest on which suit has been brought, and such validity has been established by a court of competent jurisdiction.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 9.

An Act

Relating to non-used and abandoned franchises of turnpike, plank road, canal and slack-water navigation companies or public highways, providing what shall constitute evidence of abandonment.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever any turnpike, plank road, canal or slack-water navigation or public highway of any company or corporation, incorporated by the laws of this commonwealth, for the purpose of making, operating or using the same, has been or shall have been, for the period of five successive years or upwards, decayed, out of repair and unused, for the purposes

mentioned in the charter of such company, the same shall be deemed and held to be abandoned, together with all the easements and servitudes incident thereto; and all the rights, privileges and franchises of such company, in respect to the same, shall cease and determine; and such condition and non-user, for the period aforesaid, may be given in evidence in any suit or proceeding wherein the facts of such abandonment may be material, and shall be conclusive proof thereof: *Provided*, That this act shall not apply to any such company heretofore incorporated, unless the right is reserved in its charter to resume its corporate privileges and franchises in case of the misuse or abuse thereof: *Provided*, That the provisions of the bill shall not apply to any canal in the counties of Schuylkill, Wyoming, Bradford and Berks, nor to any turnpike or plank road in the county of Carbon.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 10.

A Further Supplement

To the act of ninth of April, Anno Domini eighteen hundred and fifty-six, regulating the public printing and binding.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the existing regulations of law relative to the public printing and binding of the commonwealth, not herein repealed or hereby superseded, the following regulations and provisions shall take effect and be in force as to said printing and binding from and after the thirtieth day of June next:

Additional regulations to be in force.

Superintendent, where to reside, his salary, &c.

First. The superintendent of public printing shall reside at Harrisburg, and shall receive an annual salary of sixteen hundred dollars, payable quarterly; his office shall be kept open and accessible throughout the year to all persons interested in the performance of his official duties; and he shall not be interested directly or indirectly in the public printing or binding, or in furnishing to the state materials therefor, or in supplying stationery, blanks or blank books to any department or officer of the government.

Second. No public printing or binding shall be performed for, or supplies furnished to, any department or officers of the state government, or for or to any person acting on behalf of the same, by the public printer, unless previously ordered or authorized in writing, by the superintendent of public printing, except only the laws, journals of the two houses of the legislature, the volumes of legislative and executive documents, and the annual reports of the several heads of executive departments; nor shall any book be published at the expense of the state, or additional copies of any book be furnished by the public printer, unless by virtue of express authority of law.

No printing or binding to be performed unless ordered by superintendent.

Exceptions.

Books not to be published at expense of state unless authorized by law.

Third. The standard rates of compensation or price for the public printing and binding, and for all objects of charge against the commonwealth, by the public printer, shall be according to the schedule appended to this act; which said schedule is made a part of this act; but any specifications of printing or binding, or price thereof, contained in the printing act of ninth April, Anno Domini eighteen hundred and fifty-six, which may not be covered by said schedule, shall remain in force, and be held and construed as if this act had not been passed.

Rates of compensation to be according to schedule hereto appended.

Fourth. All blanks, blank books, circulars, printed forms, plain or tinted envelopes, paper or parchment, with official headings, printed cards or slips of names, and all other supplies of a like character, which may be required by either house of the legislature, by the governor or by any head of an executive department, in the due transaction of the public business and necessary thereto, shall, whenever the same is to be furnished by the public printer, be furnished only on a requisition from the superintendent of public printing as aforesaid, founded upon an application to him from the proper officer of the house or head of the department requiring such supplies; and whenever it shall happen that the price or cost of the same shall not be fixed by, or be ascertainable under, the laws relating to the public printing and binding, then the price or cost of the same shall be fixed and determined between the said superintendent and the public printer before the same shall be furnished or supplied, and shall not exceed the lowest rate at which such articles or supplies of like quantity and quality can be obtained elsewhere; and if the said printer shall decline to furnish such supplies, not expressly provided for by the printing laws, at such reasonable rates, it shall be lawful for the superintendent aforesaid to procure the same elsewhere at such reasonable rates, and certify his purchases forthwith to the auditor general for settlement, subject to the examination and revision of the account by that officer as in other cases.

Blanks, envelopes, &c., for legislature or heads of departments, how to be furnished.

How prices fixed when not ascertainable under existing laws.

In what case superintendent may procure articles elsewhere.

Fifth. The binding of pamphlets and other publications of similar character, and the re-binding of books for the state library or for any of the public offices, shall be done by the public printer at the same rates as those prescribed in the printing laws for similar work; but in any exceptional case when rates cannot be so ascertained, the price of said binding

Rates for binding pamphlets, &c.

shall be determined by the superintendent of public printing before the work shall be done.

How work done or supplies furnished paid for when rates are not fixed by law.

Sixth. Any work done by said printer for the commonwealth, and any supplies or publications furnished by him to any department or public officer, the price or value of which may not be fixed by or be otherwise ascertainable under the printing act of eighteen hundred and fifty-six, or this act, shall be paid for at rates of compensation to be fixed in the manner provided for in the fourth division of this section, subject, however, to the control and authority of the auditor general over the accounts therefor.

Act of 9th April, 1861, repealed.

SECTION 2. That the act of nineteenth April, Anno Domini one thousand eight hundred and sixty-four, supplementary to the act of ninth of April, Anno Domini one thousand eight hundred and fifty-six, relating to the public printing and binding, be and the same is hereby repealed.

Number of volumes of laws, journals, &c., to be printed.

SECTION 3. That until otherwise provided by law the regular number of volumes of laws, journals and executive documents, reports of heads of departments, legislative hand-book, annual messages of the governor, and copies of bills printed for the legislature, shall be as follows:

Laws.

Seven thousand five hundred copies of the pamphlet laws, and five thousand copies of an edition of the general laws, one thousand of the latter to the senate, two thousand to the house, and two thousand to the secretary of the commonwealth, for general distribution.

Journals.

Five hundred copies of the journals of each house of the legislature.

Legislative documents.

Five hundred copies of the legislative documents.

Executive documents.

Five hundred copies of the executive documents.

Governor's annual message.

Seven thousand copies of the governor's annual message, two thousand thereof for the senate, four thousand for the house, and one thousand for the governor.

Auditor general's report on finances.

Eight thousand copies of the auditor general's report on the finances, two thousand thereof for the senate, five thousand for the house, and one thousand for the auditor general.

Auditor general's report on railroads, &c.

Two thousand five hundred copies of the report of the auditor general on railroads, canals and telegraph companies, five hundred thereof for the senate, fifteen hundred for the house, and five hundred for the auditor general.

Surveyor general's report.

Two thousand five hundred copies of the surveyor general's report, five hundred thereof for the senate, fifteen hundred for the house, and five hundred for the surveyor general.

Adjutant general's report.

Two thousand five hundred copies of the adjutant general's report, five hundred thereof for the senate, fifteen hundred for the house, and five hundred for the adjutant general.

State treasurer's report.

Five thousand copies of the state treasurer's report, fifteen hundred for the senate, three thousand for the house, and five hundred for the state treasurer.

Report of superintendent of common schools.

Twenty thousand copies of the report of the superintendent of common schools, five hundred thereof for the senate, one thousand for the house, and eighteen thousand five hundred for the superintendent of common schools, for distribution to the several school districts of the commonwealth; there shall also be published tri-ennially a like number of

copies, subject to like distribution, of the decisions of the superintendent of common schools.

Three thousand copies of a legislative hand-book, similar in character to the existing publication, five hundred thereof for the senate, and twenty-five hundred for the house; and the sum of three hundred dollars shall be allowed annually to the compiler of said work, for revising, editing and supervising the printing the same. ^{Legislative hand-book.}

There shall also be printed two hundred and fifty copies of Bills. each bill, for the use of the two houses, and to supply the files thereof, and fifty copies for the secretary of the commonwealth.

SCHEDULE.

RATES FOR PRINTING, BINDING AND BLANKS.

Printing.—For all composition in whatever type, except on legislative bills, per one thousand ems, as follows :

Plain composition, sixty cents.

Rule and figure work composition, one dollar.

For press work, for each token of two hundred and fifty impressions, or less, fifty cents.

For each page of legislative bills in pica type, including composition, press-work, folding and delivery, one dollar.

Tabular work shall be executed in brier, or smaller type, without additional charge.

No composition, except of bills, shall be leaded or scabarded, without the direction of the superintendent, nor shall any composition, upon any pretence whatever, be fixed at other rates than those herein prescribed.

Folding, et cetera.—For folding, gathering, stitching and collating, and delivering, per one hundred sheets of any size, twenty cents. ^{Folding, &c.}

Binding.—For paper covers, including composition, press work and putting on, for all books, documents and publications, for hundred copies, one dollar. ^{Binding.}

For half binding, leather back, corner tips, paper sides and labels, per volume, fifty cents.

For binding in skiver with labels, per volume, sixty cents.

For binding in sheep with labels, per volume, eighty cents.

For binding in calf or morocco, tooled work with labels, per volume, one dollar.

For binding all books or documents in muslin covers, whether plain, gilded or embossed, with lettering on sides or back, or both, per volume, twenty cents.

All binding, the form and character of which is not prescribed by the printing laws, must be authorized in writing by the superintendent of public printing, or directed hereafter by the legislature.

Blank work and ruling.—For ruling and binding blank work, when the paper shall be furnished by the public printer, including the price of the paper, as follows : ^{Blank work and ruling.}

Per quire, letter size or smaller, for half binding with corners, twenty-five cents.

Same, full binding, forty cents.

Per quire, cap size, half binding with Russia corners, thirty cents.

Same, full binding, fifty cents.

Per quire, folio post, half binding, Russia corners, forty cents.

Same, full binding, sixty cents.

Per quire, demy, half binding, Russia corners, fifty cents.

Same, full bound, eighty cents.

Same, Russia ends and bands, one dollar.

Per quire, medium, half binding, Russia ends, eighty cents.

Same, full bound, one dollar and twenty cents.

Same, full, Russia ends and bands, one dollar and fifty cents.

Each quire to count twenty-four sheets, the paper to be first-class, letter size, to weigh not less than twelve pounds to the ream; cap, eighteen pounds; folio post, twenty-two pounds; demy, twenty-eight pounds; and medium, thirty-six pounds.

MISCELLANEOUS.

Miscellaneous.

For ruling per hundred sheets of all unbound blanks or other work, each passage through the machine, five cents.

Per hundred sheets, for cutting and dry pressing, two cents.

Price per quire, for lithographic headings on letter paper, not less than twelve pounds to the ream, forty cents.

Lithographic headings on note paper, not less than six pounds to the ream, per quire, twenty-five cents.

For printing on envelopes, official or departmental tint, per hundred, twenty cents.

For lithographic printing on envelopes, per hundred, twenty-five cents.

For each sheet of parchment, printed on one or both sides, one dollar and twenty-five cents.

Printing and binding to be let by legislature.

SECTION 4. That on Tuesday, the fourth day of April next, the two houses of the legislature shall meet in joint convention in the hall of the house of representatives, and let the public printing and binding for three years, from and after the thirtieth day of June next, according to the provisions of the act of April ninth, eighteen hundred and fifty-six, and its several supplements, including this act; and immediately upon the passage of this act the secretary of the commonwealth shall cause notice of said letting to be given pursuant to law, and particularly as presented in the proviso of section one of the aforesaid act of April ninth, eighteen hundred and fifty-six; and said secretary of the commonwealth shall also cause a copy of this act to be published three times in the several daily newspapers published at the city of Harrisburg: *Provided*, That for this year one week's notice shall be sufficient.

Secretary of the commonwealth to give notice of letting, and have copy of this act published.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 11.

An Act

To allow the improvement of creeks and rivulets.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That when any person or persons have entered on or shall enter upon any creek, rivulet, run or stream, tributary to the West Branch of the Susquehanna river, or any of its branches, the same not having been declared or become a public highway in its entire length, and shall have there erected or shall hereafter erect upon their own lands or upon the lands of another, under written authority, any dam or dams, cribs, wharves, piers or channels, or shall have cleared out or shall hereafter clear out and improve the said stream for the purpose of floating lumber thereon, every such person or persons shall be deemed and taken to have therein a right of way exclusive and personal, upon filing the security and recording the statement hereinafter required.

When persons to have right of way in tributary streams of West Branch of Susquehanna or its branches.

SECTION 2. Before the person or persons shall be vested with the personal and exclusive right of way as aforesaid, he, she or they shall file in the office of the clerk of the court of quarter sessions for the county in which the stream is, his, her or their bond, with such sureties and in such sum as shall be approved in writing, endorsed thereon by a judge of said court, conditioned to pay all damages to property along said stream, by reason of the erection of their improvements and the navigation of said stream, which may be assessed in the manner hereinafter provided.

Bond to filed in office of clerk of quarter sessions

SECTION 3. Before the person or persons shall be vested with the right of way as aforesaid, he, she or they shall also file in the recorder's office of the county in which the stream is, a statement under oath, detailing the facts upon which the claim to such right of way is founded, with the date and character of the improvements made; which statement shall be recorded in a docket to be procured for the purpose, or in the miscellaneous docket in said office.

Statement to be filed in recorder's office.

To be recorded.

SECTION 4. Any owner or owners of land along the stream claiming damages for injury to said land, or depreciation of its value because of the erection of such improvements, and the right of way hereby authorized, may file his or their petition to the court of quarter sessions of the county in which his land is situate; whereupon said court shall appoint viewers, who shall examine the premises, assess the damages and report to the said court in the same manner, and under the same regulations as damages are assessed for the opening of roads in said county; such report, when approved by the court, shall be final and conclusive upon the parties.

Land owners claiming damages, may petition court.

Court to appoint viewers.

Duty of viewers. Report.

SECTION 5. If any other person or persons shall desire to

Proceedings where others desire to use streams and disagree upon terms with owners of improvements.

use the stream, or the dams and improvements made by the person or persons who shall have the right of way, under the previous provisions of this act, for the purposes of navigation, and the parties cannot agree upon the amount of compensation which should be paid to the parties owning the improvements and right of way, the person or persons so desiring to use the same, may at any time file in the office of the clerk of the court of quarter sessions of the county in which the same are situate, his, her or their bond, in such sum, with such sureties as shall be approved by a judge of said court, which approval shall be endorsed thereon in writing, conditioned for the payment of such compensation to the owners of the improvements and right of way, as shall be assessed in the manner hereinafter provided, and at the same time shall file in the same office, his, her or their petition for a view to assess such compensation.

Further proceedings.

SECTION 6. At the next term of the court of quarter sessions, after the filing of a petition under the fifth section of this act, the said court shall appoint three disinterested persons, who, after being duly sworn, shall ascertain and estimate the costs of the dams and other improvements owned by the owner or owners of the right of way under the first section of this act, adding thereto all sums which have been paid for damages under the fourth section of this act, and shall fix, determine and assess the rate or sum per thousand feet to be paid by the petitioner or petitioners, to the owners, for the use of such improvements and of the stream, and shall report the same to the court of quarter sessions; which report, when approved by the court, shall be final and conclusive between the parties.

Persons having right of way, to keep dams, &c., in good repair.

SECTION 7. Any person or persons having the right of way in any stream, under the first section of this act, shall keep the dams and improvements made by him or them in good condition and repair, or, in default thereof, shall forfeit all right to contribution and compensation from other parties.

Construction.

SECTION 8. Nothing in this act shall be construed to authorize a tax upon square timber or boards in any such stream, or to deprive any one of the right he otherwise has to navigate said stream with square timber and boards: *Provided*, That the provisions of this act shall not apply to any of the waters of Beach creek or its tributaries, in Clinton and Centre counties.

Proviso.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 12.

An Act

To extend the provisions of the act of March twenty-seventh, one thousand eight hundred and sixty-seven, entitled "An Act to enlarge the jurisdiction of the courts of common pleas of this commonwealth, relative to granting charters of incorporation and confirming those heretofore granted."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the third section of the act of March twenty-seven, one thousand eight hundred and sixty-seven, entitled "An Act to enlarge the jurisdiction of the courts of common pleas of this commonwealth, relative to granting charters of incorporation and confirming those heretofore granted," be and the same are so far extended, as to authorize and empower the said courts of common pleas to grant charters of incorporation to deer park associations, and other associations for the propagation of game and fish.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 13.

An Act

To continue in force the fourth section of an act, approved April second, one thousand eight hundred and sixty-eight, entitled "An Act extending to canal companies the privileges heretofore conferred on railroad companies, and to authorize them to deepen and improve their canals, and provide improved facilities for transporting property."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act approved April fourteenth, one thousand eight

hundred and seventy, entitled "A supplement to an act, entitled 'An Act relating to railroad and canal companies,' approved April eleventh, one thousand eight hundred and sixty-four," shall not operate or be deemed to repeal or affect the provisions contained in the fourth section of the act, approved April second, Anno Domini one thousand eight hundred and sixty-eight, entitled "An Act extending to canal companies the privileges heretofore conferred on railroad companies, and to authorize them to deepen, improve their canals and provide improved facilities for transporting property," so far as relates to the canals situate on the Susquehanna river and its tributaries, and canals connected directly therewith; and that the said fourth section shall to that extent, and to said canals, be and continue in full force and effect.

JAMES H. WEBB,

Speaker of the House of Representatives.

J. D. DAVIS,

Speaker of the Senate *pro tem*.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 14.

An Act

Relative to the chartering of mutual fire insurance companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the first section of an act, entitled "An Act supplementary to an act to enlarge the jurisdiction of the courts of common pleas of this commonwealth," approved March twenty-sixth, one thousand eight hundred and sixty-seven, so far as the same relates to the chartering of insurance companies, shall not apply to mutual fire insurance companies, but such companies may be incorporated by the courts without a capital stock.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 15.

An Act

To empower the courts of common pleas of this commonwealth to authorize school directors to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the several courts of common pleas of this commonwealth shall have power to authorize the school directors, of any school district within their respective jurisdictions, to borrow money for the purpose of erecting school houses, to an amount not exceeding five per centum upon the last preceded adjusted tri-ennial valuation of the property of said school district; and the said court may decree that such moneys shall be raised by bonds, mortgages or other security, at any rate not exceeding eight per centum, free from all taxation, and reimbursable at any period not exceeding twenty years from the date of such decree: *Provided*, That before exercising jurisdiction of the petition of the board of school directors, or a majority thereof for such decree, the said board shall produce to the court the consent, in writing, of a majority in number of the qualified electors of such district: *And provided further*, That no such decree shall be made until notice by advertisements in two papers of said county, (if so many shall be therein published,) shall have been given by the said board of directors, during at least four weeks, of their intention to make application for such decree.

JAMES H. WEBB,

Speaker of the House of Representatives.

J. D. DAVIS,

Speaker of the Senate *pro tem*.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 16.

A Further Supplement

To an act for the organization, discipline and regulation of the militia of the commonwealth of Pennsylvania, approved May fourth, one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

3—G. L.

That from and after the passage of this act the number of brigades in the city of Philadelphia shall be five instead of four, as fixed in the second proviso of the eleventh section of the act to which this is a supplement.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 17.

An Act

Prescribing the fees for the office of secretary of the commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fees of the secretary of the commonwealth, for the use of the state, shall be as follows :

For certificate with great seal, one dollar.

Certificate with less seal, seventy-five cents.

Certificate without seal, fifty cents.

Taking or filing bond of any public officer, one dollar.

Commission for auditor general, surveyor general, or any other state officer who receives salary, five dollars.

Writ of assistance, including great seal, five dollars.

Commission for any city, county or district officer who receives emoluments, and pays no state tax on commission, five dollars.

Commission to take acknowledgment of deeds or other instruments, five dollars.

Every search, twenty-five cents.

Certified copies, for every page, twenty-five cents.

Each commission for justice of the peace or alderman, to be collected and paid over to the recorders of deeds, two dollars.

Requisitions for criminals, or order upon same, one dollar.

Approving plan of prison, including certificate and seal, three dollars.

Filing description of bottles, under act of assembly, one dollar.

Each commission for railroad or mining police, one dollar.

Instrument incorporating any bank, for every thousand dollars of authorized capital, ten cents.

Letters patent or instrument incorporating any company or association, five dollars.

Commission authorizing view of turnpike road or bridge, one dollar.

License to erect gate and take tolls, one dollar.

Filing acceptance of provisions, of act of assembly, one dollar.

Filing evidence of change of corporate name, one dollar.

Filing papers, creating corporation under general or special act of assembly, and recording same, five dollars.

Filing evidence of increase or decrease of capital stock, and recording same, five dollars.

Filing articles of association for railroad companies, and recording same, five dollars.

Filing agreements of merger and consolidation, five dollars.

Filing amendments to, or confirmations of charters, two dollars.

Filing evidence of dissolution of corporations and recording same, five dollars.

Filing draft of railroad or canal, two dollars.

And equivalent fees for any like services, though not herein specified.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 18.

A Supplement

To an act providing for the taking of game.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the penalties provided and mentioned in the sixth section of an act to which this is a supplement, passed the twenty-first day of April, Anno Domini one thousand eight hundred and sixty-nine, shall not be imposed and inflicted upon any person who shall take and catch, during any season of the year, speckled brook trout out of any stream of water running through his or her own lands, or of which she or he has a lease or right to take and catch fish therein, for the purpose

Penalties not to be imposed on persons for catching trout in streams running through their lands, &c.

of taking and confining them alive in artificial ponds built and erected for the breeding and cultivating of fish.

Penalties not to be collected from persons who have taken trout to place in artificial ponds.

SECTION 2. That no penalties for any violation of the provisions of said sixth section of said act shall, from and after the passage of this act, be inflicted upon and collected from any person who has heretofore taken and caught speckled brook trout out of season, for the purpose of placing and confining them alive in artificial ponds built and erected for breeding and cultivating fish.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 19.

A Supplement

To an act, entitled "An Act to consolidate, revise and amend the laws of this commonwealth relating to penal proceedings and pleadings," approved the thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in any indictment for involuntary manslaughter it shall not be necessary to set forth the manner in which or the means by which the death of the deceased was caused, but it shall be sufficient in every indictment for involuntary manslaughter to charge that the defendant did unlawfully kill and slay the deceased.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 20.

A Further Supplement

To an act, entitled "An Act to incorporate and endow the Pennsylvania institution for the deaf and dumb," passed the eighth day of February, one thousand eight hundred and twenty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of article first, section second, of the above recited act to incorporate and endow the Pennsylvania institution for the deaf and dumb, as requires the institution to be located in Philadelphia, be and the same is hereby repealed; and the board of directors of the said institution are hereby authorized and empowered to erect any new buildings that may be necessary, in any county of this commonwealth, contiguous to the city and county of Philadelphia.

Directors may erect new buildings in any county contiguous to Philadelphia.

SECTION 2. That it shall and may be lawful for the said board of directors to extend the term of instruction to eight years, to such indigent deaf mutes, taught in the said institution, at the expense of the commonwealth, as in the opinion of the said board of directors would be materially benefited thereby.

May extend term of instruction to indigent deaf mutes taught at expense of state.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY

No. 21.

An Act

To correct a clerical error in a supplement to the act providing for the taking of game, approved the first day of April, Anno Domini one thousand eight hundred and sixty-nine, approved the fifth day of April, Anno Domini one thousand eight hundred and seventy.

WHEREAS, The act, entitled "A supplement to the act providing for the taking of game, approved the first day of April, one thousand eight hundred and sixty-nine," which was approved the fifth day of April, one thousand eight hundred and

seventy, was designed and intended to be a supplement to the act, entitled "An Act providing for the taking of game," approved the twenty-first day of April, one thousand eight hundred and sixty-nine; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said supplement to an act providing for the taking of game, approved the first day of April, one thousand eight hundred and sixty-nine, approved the fifth day of April, one thousand eight hundred and seventy, is hereby declared to be a supplement to the act, entitled "An Act providing for the taking of game," approved the twenty-first day of April, one thousand eight hundred and sixty-nine, with the same force and effect as if said act had properly recited the twenty-first day of April, one thousand eight hundred and sixty-nine, instead of the first day of April, one thousand eight hundred and sixty-nine.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 22.

A Supplement

To the act of April fourth, one thousand eight hundred and sixty-eight, relative to the formation and regulation of railroad corporations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any number of persons, not less than three, all of whom must become stockholders, may form a company for the purpose of constructing, maintaining and operating a railroad, for public use, as provided for in the act to which this is a supplement: *Provided,* Said railroad shall not be of a greater length than five miles; and its stockholders may exercise all the powers granted in the act to which this is a supplement, under such rules and regulations as they may adopt, in the election of officers and the appointment of agents for carrying on the business of the corporation, not inconsistent with the act to which this is a supplement.

SECTION 2. That any corporation, formed under the act to which this is a supplement, having constructed a road, or ha-

may form
a company.

Length of road
limited.

Powers of stock-
holders.

ing partially constructed one, of no greater length than that fixed by this act, electing to organize under the provisions hereof, shall have the power to do so if a majority of its stock so determines, and shall, within thirty days, file in the office of the secretary of the commonwealth a certificate of its action and a copy of its articles of association, under forms fixed by said secretary; and any corporation failing, refusing or neglecting so to do, shall be subject to a fine of fifty dollars, to be collected as other fines are by the proper officers of the commonwealth.

Certain corporations may organize under this act.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 23.

An Act

Fixing the compensation of law judges of the commonwealth for holding special courts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the compensation of law judges of the commonwealth, for the holding of special courts, under the provisions of any act which authorizes them to hold such courts beyond the bounds of their proper districts, shall be at the rate of twelve dollars per day, to be computed as to time, and to be paid in the manner provided by the second section of the act of fifteenth March, one thousand eight hundred and sixteen, entitled "An Act for holding special courts of common pleas;" and all assistant and additional law judges, in the commonwealth, shall have the same power, authority and jurisdiction, to hold courts outside of their districts, that the president judges now have.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 24.

A Supplement

To an act to enable railroad, canal and slack-water navigation companies to straighten, widen, deepen and otherwise improve their lines of railroads, canals and slack-water navigation, and the bridges, aqueducts, piers and structures thereof, approved the seventeenth day of March, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the remedies and proceedings provided by the second section of the act to which this is a supplement, all and singular the provisions of the second and third sections of the act of assembly, approved the ninth day of April, Anno Domini one thousand eight hundred and fifty-six, entitled "A supplement to an act, entitled 'An Act regulating railroad companies,' approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine," and of the first section of the act of assembly, approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five, entitled "An Act extending the right of trial by jury to certain cases," are hereby made applicable to all cases arising and proceedings instituted under the said act to which this is a supplement.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 25.

An Act

Relating to leases or contracts for the use of canals or other navigation works by railroad companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the authority conferred upon railroad companies by the act approved the seventeenth day of February, Anno Domini one thousand eight hundred and seventy, entitled "An Act to authorize railroad companies to lease or become lessees, and to make contracts with other railroad companies, corporations and parties," shall extend to and embrace leases, assignments of lease, or other contracts relating to canal and other navigation works, situated either in this or any other state: *Provided*, That neither the provisions of the said act, approved the seventeenth day of February, one thousand eight hundred and seventy-one, nor of this act, shall authorize the leasing or merging of, or entering into contracts with the Susquehanna canal company, or the purchase in whole or in part, of the said canal, its capital stock, loans or securities, by any railroad company.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 26.

An Act

To extend the time for paying certain enrolment taxes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time provided for in the second section of an act, entitled "An Act to revise, amend and consolidate existing laws regulating enrolment tax," approved the first day of May, Anno Domini one thousand eight hundred and sixty-eight, be further extended for one year from the first day of May, Anno Domini one thousand eight hundred and seventy-one, and its provisions shall be extended to all acts which were passed prior to May first, one thousand eight hundred and seventy.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 27.

An Act

To regulate the sale of clams and oysters.

Sale of clams and oysters in Philadelphia, during July and August, prohibited.	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i></p> <p>That it shall be unlawful for any person or persons, during the month of July and August, in each year, to bring into the city of Philadelphia, for the sale, or to vend or sell, or to expose for sale, within the same, any clams or oysters; and any person or persons so offending shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars, or undergo an imprisonment not exceeding six months, or both, at the discretion of the court.</p>
Penalty.	
Non-residents prohibited from selling clams and oysters without license.	<p>SECTION 2. It shall be unlawful for any person or persons, not residents of this commonwealth, to bring into this state, for purposes of sale, or to vend or sell, or expose for sale, within this commonwealth, any clams or oysters, without first having obtained a license therefor, except such person or persons as have a store, warehouse or other principle place of business within the state, for which they have paid a tax or license to this commonwealth, under existing laws.</p>
Exceptions.	
By whom license to be granted.	<p>SECTION 3. The license provided for in the second section of this act shall be granted by the treasurer of the city or county in which such clams or oysters are to be sold or exposed for sale, and shall be and continue for one year from the date on which it may be issued; and for such license the applicant shall pay to the said city or county treasurer the sum of five hundred dollars, for the use of the commonwealth.</p>
Term of license. Amount of license.	
Penalty on non-residents for selling without license.	<p>SECTION 4. If any person or persons, not residents in this commonwealth, not having a store or warehouse, or other place of business, within the same, and not having a license, as provided in the second and third sections of this act, shall bring into this state, for the purpose of sale, or shall vend or sell, or expose for sale, within this commonwealth, any clams or oysters, such person or persons so offending shall be guilty of a misdemeanor, and on conviction thereof shall be sentenced to pay a fine of not less than fifty nor exceeding three hundred dollars, or undergo an imprisonment not exceeding six months, or both, at the discretion of the court.</p>
Sale of unopened clams or oysters, relative to.	<p>SECTION 5. It shall be unlawful for any person or persons to sell unopened clams or oysters, within the city of Philadelphia, in any other way than by count or tale; and the same shall be counted at the time and place of sale, and before delivery; and any person or persons offending against this section shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five dollars and not exceeding one hundred dollars, or undergo</p>

an imprisonment not exceeding six months, or both, at the discretion of the court.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 28.

An Act

Changing the terms of the supreme court for the Western and Northern district.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the regular term of the supreme court for the Western district of this commonwealth shall commence, for the year A. D. one thousand eight hundred and seventy-one, and annually thereafter, on the first Monday of October, and shall continue not less than eight weeks, if so long a time be necessary for the hearing of causes ready for argument and the disposition of the business of the district. Term for Western district, when to commence.

SECTION 2. That the return day for the Northern district hereafter shall be the third Monday of September; and the causes from said Northern district shall be heard at such time and place as the judges of the supreme court may assign. How long to continue.
Return day for Northern district, fixed. When and where causes to be heard.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 29.

An Act

To fix the number of senators and representatives, and to form the state into districts, in pursuance of the provisions of the constitution.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That until the next septennial enumeration of the taxable inhabitants, and apportionment thereon, the senate shall consist of thirty-three members, and be apportioned as follows, to wit:

Senatorial districts.

First.—The First, Second, Third, Fourth, Seventh, Eighth and Twenty-sixth wards of the city of Philadelphia shall compose the First district and elect one senator.

Second.—The Ninth, Tenth, Thirteenth, Fourteenth, Fifteenth and Twenty-ninth wards of the city of Philadelphia shall compose the Second district and elect one senator.

Third.—The Fifth, Sixth, Eleventh, Twelfth, Sixteenth, Seventeenth and Eighteenth wards of the city of Philadelphia shall compose the Third district and elect one senator.

Fourth.—The Nineteenth, Twentieth, Twenty-first, Twenty-second, Twenty-third, Twenty-fourth, Twenty-fifth, Twenty-seventh and Twenty-eighth wards of the city of Philadelphia shall compose the Fourth district and elect one senator.

Fifth.—The counties of Chester and Delaware shall compose the Fifth district and elect one senator.

Sixth.—The county of Montgomery shall compose the Sixth district and elect one senator.

Seventh.—The counties of Bucks and Northampton shall compose the Seventh district and elect one senator.

Eighth.—The county of Berks shall compose the Eighth district and elect one senator.

Ninth.—The county of Lancaster shall compose the Ninth district and elect one senator.

Tenth.—The county of Schuylkill shall compose the Tenth district and elect one senator.

Eleventh.—The counties of Lehigh and Carbon shall compose the Eleventh district and elect one senator.

Twelfth.—The counties of Dauphin and Lebanon shall compose the twelfth district and elect one senator.

Thirteenth.—The counties of Luzerne, Monroe and Pike shall compose the Thirteenth district and elect two senators.

Fourteenth.—The counties of Bradford, Susquehanna, Wayne and Wyoming shall compose the Fourteenth district and elect one senator.

Fifteenth.—The counties of Columbia, Lycoming, Montour and Sullivan shall compose the Fifteenth district and elect one senator.

Sixteenth.—The counties of Cameron, M'Kean, Potter and Tioga shall compose the Sixteenth district and elect one senator.

Seventeenth.—The counties of Snyder, Perry, Northumberland and Union shall compose the Seventeenth district and elect one senator.

Eighteenth.—The counties of Clinton, Cambria, Clearfield and Elk shall compose the Eighteenth district and elect one senator.

Nineteenth.—The counties of Cumberland and Franklin shall compose the Nineteenth district and elect one senator.

Twentieth.—The counties of Adams and York shall compose the Twentieth district and elect one senator.

Twenty-first.—The counties of Bedford, Fulton, Blair and Somerset shall compose the Twenty-first district and elect one senator.

Twenty-second.—The counties of Centre, Juniata, Mifflin and Huntingdon shall compose the Twenty-second district and elect one senator.

Twenty-third.—The county of Allegheny shall compose the Twenty-third district and elect three senators.

Twenty-fourth.—The counties of Indiana and Westmoreland shall compose the Twenty-fourth district and elect one senator.

Twenty-fifth.—The counties of Fayette and Greene shall compose the Twenty-fifth district and elect one senator.

Twenty-sixth.—The counties of Beaver, Butler and Washington shall compose the Twenty-sixth district and elect one senator.

Twenty-seventh.—The counties of Clarion, Armstrong, Jefferson and Forest shall compose the Twenty-seventh district and elect one senator.

Twenty-eighth.—The counties of Lawrence, Mercer and Venango shall compose the Twenty-eighth district and elect one senator.

Twenty-ninth.—The county of Crawford shall compose the Twenty-ninth district and elect one senator.

Thirtieth.—The counties of Erie and Warren shall compose the Thirtieth district and elect one senator.

SECTION 2. In those senatorial districts which are composed of more than one county, the judges of the district elections in each county, after having formed a return of the whole election within such county, in such manner as is or may be provided by law, shall send the same by one of their number to the place hereinafter mentioned, within the district of which such county is a part, where the judges so met shall cast up the several county returns, and execute, under their hands and seals, one general and true return of the whole district, to wit:

The judges of the Fifth district shall meet at the court house in the borough of Media, in the county of Delaware.

The judges of the Seventh district shall meet at the court house in the borough of Easton, in the county of Northampton.

Meetings of return judges.

The judges of the Eleventh district shall meet at the court house in the city of Allentown, in the county of Lehigh.

The judges of the Twelfth district shall meet at the court house in the city of Harrisburg, in the county of Dauphin.

The judges of the Thirteenth district shall meet at the court house in the borough of Wilkesbarre, in the county of Luzerne.

The judges of the Fourteenth district shall meet at the court house in the borough of Tunkhannock, in the county of Wyoming.

The judges of the Fifteenth district shall meet at the court house in the city of Williamsport, in the county of Lycoming.

The judges of the Sixteenth district shall meet in the borough of Coudersport, in the county of Potter.

The judges of the Seventeenth district shall meet at the court house in the borough of Lewisburg, in the county of Union.

The judges of the Eighteenth district shall meet at the court house in the borough of Clearfield, in the county of Clearfield.

The judges of the Nineteenth district shall meet at the court house in the borough of Carlisle, in the county of Cumberland.

The judges of the Twentieth district shall meet at the court house in the borough of York, in the county of York.

The judges of the Twenty-first district shall meet at the court house in the borough of Hollidaysburg, in the county of Blair.

The judges of the Twenty-second district shall meet at the court house in the borough of Huntingdon, in the county of Huntingdon.

The judges of the Twenty-fourth district shall meet at the court house in Indiana, in the county of Indiana.

The judges of the Twenty-fifth district shall meet at the court house in the borough of Uniontown, in the county of Fayette.

The judges of the Twenty-sixth district shall meet at the court house in the borough of Beaver, in the county of Beaver.

The judges of the Twenty-seventh district shall meet at the court house in the borough of Clarion, in the county of Clarion.

The judges of the Twenty-eighth district shall meet at the court house in the borough of Mercer, in the county of Mercer.

The judges of the Twenty-ninth district shall meet at the court house in the borough of Meadville, in the county of Crawford.

The judges of the Thirtieth district shall meet at the court house in the city of Erie.

Representative districts.

SECTION 3. That until the next septennial enumeration of taxables and apportionment thereon made by law, the house of representatives shall consist of one hundred members, and be apportioned as follows: The city of Philadelphia shall be divided into eighteen districts, namely:

First.—The First ward and the First, Second, Third, Fourth, Fifth, Sixth, Ninth, Tenth, Twelfth, Thirteenth, Fifteenth,

Sixteenth and Seventeenth divisions of the Twenty-sixth ward shall compose the First district and elect one member.

Second.—The Second ward and the First and Second divisions of the Third ward shall compose the Second district and elect one member.

Third.—The Fourth ward, the Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth and Tenth divisions of the Third ward shall compose the Third district and elect one member.

Fourth.—The Seventh ward and Seventh, Eighth, Eleventh and Fourteenth divisions of the Twenty-sixth ward shall compose the Fourth district and elect one member.

Fifth.—The Fifth and Sixth wards shall compose the Fifth district and elect one member.

Sixth.—The Eighth and Ninth wards, except the Eighth division of the Ninth ward, shall compose the Sixth district and elect one member.

Seventh.—The Tenth ward and Eighth division of the Ninth ward, and First division of the Fifteenth ward, and the First and Second divisions of the Fourteenth ward, shall compose the Seventh district and elect one member.

Eighth.—The Second, Third, Fourth, Fifth, Sixth, Seventh, Ninth, Tenth, Eleventh, Twelfth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth and Twenty-first divisions of the Fifteenth ward shall compose the Eighth district and elect one member.

Ninth.—The Thirteenth ward and Fourteenth ward, except the First and Second divisions, shall compose the Ninth district and elect one member.

Tenth.—The Eleventh and Twelfth wards shall compose the Tenth district and elect one member.

Eleventh.—The Twenty-ninth ward, the Twenty-eighth ward, and the Eighth and Thirteenth divisions of the Fifteenth ward, shall compose the Eleventh district and elect one member.

Twelfth.—The Sixteenth ward and Fourth, Fifth, Eighth and Tenth divisions of the Seventeenth ward, and the First and Second divisions of the Twentieth ward, shall compose the Twelfth district and elect one member.

Thirteenth.—The Third, Fourth, Fifth, Sixth, Seventh, Eleventh, Twelfth, Thirteenth, Fourteenth and Nineteenth divisions of the Twentieth ward, and the Sixth, Seventh and Ninth divisions of the Seventeenth ward, shall compose the Thirteenth district and elect one member.

Fourteenth.—The Eighteenth ward, the Fourth division of the Twenty-fifth ward, the First, Second and Third divisions of the Seventeenth ward, shall compose the Fourteenth district and elect one member.

Fifteenth.—The First, Second, Third, Fourth, Fifth, Sixth, Seventh, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twenty-second, Twenty-third, Twenty-fourth and Twenty-fifth divisions of the Nineteenth ward, and the Eighteenth division of the Twentieth ward, shall compose the Fifteenth district and elect one member.

Sixteenth.—The Twenty-second and the Twenty-first wards shall compose the Sixteenth district and elect one member.

Seventeenth.—The Twenty-third ward, and First, Second, Third, Fifth, Sixth, Seventh and Eighth divisions of the Twenty-fifth ward, and the Eighth, Twentieth and Twenty-first divisions of the Nineteenth ward, shall compose the Seventeenth district and elect one member.

Eighteenth.—The Twenty-fourth and Twenty-seventh wards shall compose the Eighteenth district and elect one member.

The county of Adams shall be entitled to and elect one member.

The county of Franklin to one member.

The county of Armstrong to one member.

The counties of Beaver, Butler and Washington to four members.

The counties of Bedford and Fulton to one member.

The county of Berks to three members.

The county of Blair to one member.

The county of Bradford to two members.

The county of Bucks to two members.

The county of Cambria to one member.

The counties of Potter and M'Kean to one member.

The counties of Carbon and Monroe to one member.

The county of Allegheny, outside of the city of Pittsburg, to five members.

The First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth and Fourteenth wards of the city of Pittsburg shall constitute one district and elect one member.

The Tenth, Eleventh, Twelfth, Thirteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, Twenty-second and Twenty-third wards of the city of Pittsburg shall constitute one district and elect one member.

The county of Chester to two members.

The county of Clearfield to one member.

The county of Centre to one member.

The counties of Clarion and Forest to one member.

The counties of Clinton, Lycoming and Sullivan to two members.

The county of Columbia to one member.

The county of Crawford to two members.

The county of Cumberland to one member.

The counties of Dauphin and Perry to three members.

The county of Delaware to one member.

The county of Erie to two members.

The counties of Cameron, Elk and Jefferson to one member.

The county of Fayette to one member.

The county of Huntingdon to one member.

The county of Indiana to one member.

The counties of Juniata and Mifflin to one member.

The county of Lancaster to three members.

The county of Lawrence to one member.

The county of Lebanon to one member.

The county of Lehigh to two members.

The county of Luzerne to four members.

The county of Montgomery to two members.

The county of Mercer to one member.

The county of Northampton to two members.

The counties of Northumberland and Montour to two members.

The counties of Pike and Wayne to one member.

The county of Schuylkill to three members.

The counties of Snyder and Union to one member.

The counties of Susquehanna and Wyoming to two members.

The county of Tioga to one member.

The county of Venango to one member.

The county of Warren to one member.

The county of Westmoreland to two members.

The county of York to two members.

The county of Greene to one member.

The county of Somerset to one member.

SECTION 4. The senators and representatives shall be chosen by the qualified citizens of the city of Philadelphia and of the several counties of this commonwealth, at the time, places and in the manner prescribed by the constitution and laws of this commonwealth.

Mode of election

SECTION 5. The senators shall be chosen in the several districts at the following times, to wit:

Times of choosing senators.

In the First district one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and seventy-two.

In the Second district one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and seventy-one.

In the Third district one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and seventy-three.

In the Fourth district one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and seventy-one.

In the Fifth district one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and seventy-three.

In the Sixth district one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and seventy-three.

In the Seventh district one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and seventy-three.

In the Eighth district one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and seventy-three.

In the Ninth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-two.

In the Tenth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-three.

In the Eleventh district one senator shall be chosen at a

general election, in the year of our Lord one thousand eight hundred and seventy-three.

In the Twelfth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-two.

In the Thirteenth district two senators shall be chosen, one at a general election, in the year of our Lord one thousand eight hundred and seventy-one, and the other thereof at a general election, in the year of our Lord one thousand eight hundred and seventy-two.

In the Fourteenth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-one.

In the Fifteenth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-two.

In the Sixteenth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-one.

In the Seventeenth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred seventy-three.

In the Eighteenth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-one.

In the Nineteenth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-one.

In the Twentieth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-one.

In the Twenty-first district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-two.

In the Twenty-second district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-three.

In the Twenty-third district three senators shall be chosen, two at a general election, in the year of our Lord one thousand eight hundred and seventy-one, and one senator at a general election, in the year of our Lord one thousand eight hundred and seventy-three.

In the Twenty-fourth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-one.

In the Twenty-fifth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-two.

In the Twenty-sixth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-two.

In the Twenty-seventh district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-two.

In the Twenty-eighth district one senator shall be chosen at

a general election, in the year of our Lord one thousand eight hundred and seventy-two.

In the Twenty-ninth district one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and seventy-three.

In the Thirtieth district one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and seventy-two.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

We do certify that the bill entitled "An Act to fix the number of senators and representatives, and to form the state into districts, in pursuance of the provisions of the constitution," was presented to the governor on the twenty-fifth day of April, one thousand eight hundred and seventy-one, and was not returned within ten days, (Sundays excepted,) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

JAMES L. SELFRIDGE,

Clerk of the House of Representatives.

J. ZIEGLER,

Clerk of the Senate.

HARRISBURG, May 6, 1871.

No. 30.

A Supplement

To an act, entitled "An Act to fix the number of senators and representatives and to form the state into districts, in pursuance of the constitution," which became a law on the sixth day of May, Anno Domini one thousand eight hundred and seventy-one."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in those representative districts which are composed of more than one county, the judges of the election district in each county, after having formed a return of the whole election within such county, in such manner as is or may be provided by law, shall send the same, by one of their number, to the place hereinafter mentioned, within the district of which such county is a part, when the judges so met shall cast up the several county returns and execute, under their hands and

Meetings of return judges in districts composed of more than one county.

seals, one general and true return of the whole district, to wit:

The judges of the counties of Carbon and Monroe at the court house in the borough of Mauch Chunk, in the county of Carbon.

The judges of the counties of Pike and Wayne at the court house in Milford, in the county of Pike.

The judges of the counties of Susquehanna and Wyoming at the court house in Tunkhannock, in the county of Wyoming.

The judges of the counties of Clinton, Lycoming and Sullivan at the court house in Williamsport, in the county of Lycoming.

The judges of the counties of Union and Snyder at the court house in Lewisburg, in the county of Union.

The judges of the counties of Juniata and Mifflin at the court house in Mifflintown, in the county of Juniata.

The judges of the counties of Dauphin and Perry at the court house in Harrisburg, in the county of Dauphin.

The judges of the counties of Potter and M'Kean at the court house in Coudersport, in the county of Potter.

The judges of the counties of Jefferson, Elk and Cameron at the court house in Ridgway, in the county of Elk.

The judges of the counties of Forest and Clarion at the court house in Clarion, in the county of Clarion.

The judges of the counties of Beaver, Butler and Washington at the court house in Beaver, in the county of Beaver.

The judges of the counties of Northumberland and Montour at the court house in Danville, in the county of Montour.

The judges of the counties of Bedford and Fulton at the court house in Bedford, in the county of Bedford.

Time, places and manner of choosing senators and representatives.

SECTION 2. The senators and representatives shall be chosen by the qualified citizens of the city of Philadelphia and the city of Pittsburg, and of the several counties of this commonwealth, at the time, places and in the manner prescribed by the constitution and laws of this commonwealth.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 31.

A Further Supplement

To an act directing the entry of liens for the principal and interest due the commonwealth for lands held by virtue of location or other office titles, approved the twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of property shall have full and discretionary power as to the time of entering suits and the number thereof, to be brought for the collection of the liens against unpatented lands; and the attorney general shall proceed, under the seventh section of the said act to which this is a further supplement, when authorized to do so by the said board: *Provided*, That no interest shall be charged on patent or other fees.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 32.

An Act

For the collection of mineral statistics.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the information now required to be furnished to the auditor general by the several railroad and canal companies of this commonwealth, each of said railroad and canal companies, when their railroad or canal passes through any of the coal regions of the state, shall report for the year one thousand eight hundred and seventy-one, and annually as soon after the first day of January in each year, or the close of the fiscal year of said companies, as the information

Railroad and canal companies, whose lines pass through coal regions, to report to auditor general.

Report to state
quantity of coal
received for
transportation,
&c.

Slack-water
navigation
companies to
make returns.

Railroad com-
panies to report
quantity of coal
purchased, &c.

Companies,
firms, &c., to
furnish auditor
general with in-
formation.

On receiving re-
ports, &c., audi-
tor general to
collate same
and make re-
port.

To report num-
ber of accidents
in mines in
counties where
there are no
mine inspec-
tors.

To collect sta-
tistics and make
report as to
other mineral
productions.

can be procured under oath of one of the officers of said company, to the auditor general, the quantity of coal of each kind, and of coke in tons of two thousand pounds each, received for transportation at each station on every such railroad, and at each coal shipping point on said canal, distinguishing in said report the quantities received direct from the mines from that received from other railroad or canals, giving the name of said connecting railroad or canals in such a manner that the amount of the production of coal on the line of said railroad or canal may be correctly ascertained; the Monongahela slack-water navigation company, and all other slack-water navigation companies, engaged in conveying coal or coke, are also hereby required to make returns, in the same manner as is hereinbefore required of railroad and canal companies.

SECTION 2. It shall also be the duty of each of said railroad companies to report the quantity of coal purchased or mined for their own use in this state by them during each year, and which was produced along the line of said railroad, and stating at what place or places the same was mined, and which was not included in the reports of coal received for transportation before mentioned of said railroad, or of any other railroad or canal.

SECTION 3. It shall be the duty of all coal mining companies or firms and individuals working mines, and of all state and county officers, to furnish to the auditor general, in answer to his letters or circulars, all information in their possession in regard to the quantity of coal mined that is sent to market direct by any navigable river, or used by any rolling mill, blast furnace, salt works or otherwise, and which is not transported on any railroad, canal or slack-water navigation company, and also to inform him when and of whom correct information as to the coal production of any such locality can be procured; and further, to inform him of all accidents in mines in counties where there is no mine inspector appointed by law, and how the same was caused.

SECTION 4. It shall be the duty of the auditor general, on receiving said reports, and such other authentic information as he shall collect, to collate said reports and information, and make a report, giving the results only in tabular form, showing the quantity of coal mined during each year in each county, and in each important coal producing region in a perspicuous form, separating the several kinds of coal into anthracite, semi-bituminous, bituminous, and splint or block coal, suitable for smelting iron, giving also from time to time the statistics of each region, from the beginning of its coal trade so far as it can be ascertained; he shall also specially report the number of accidents resulting in death or injury, in coal mines in those counties where there is no mine inspector, classifying them according to the cause thereof, whether occasioned by fire, explosions, falls of roof or coal in shafts or slopes, or other causes under ground or at the surface.

SECTION 5. The auditor general shall also, in the same manner, collect statistics, collate, classify and report, at the same time, the quantities of petroleum, salt, iron ore, zinc and

other mineral productions of the commonwealth; also the pig iron and merchant or wrought iron manufactured in the commonwealth.

SECTION 6. Eight thousand copies of said report of the auditor general, together with his suggestions on the workings of existing laws and his propositions as to new enactments, shall be published for distribution, annually, as soon as it is prepared, with the title of the Mineral Statistics of Pennsylvania; and one copy thereof shall be sent by mail, by the auditor general, to each person who shall have furnished him with information as aforesaid, and the balance shall be delivered to the legislature for distribution.

8,000 copies of report to be printed.

How to be disposed of.

SECTION 7. Any railroad or canal, or slack-water navigation company, or coal mining company, firm or individual engaged in mining, or any county officer who shall neglect or refuse, for thirty days, to make report or give the information required by this act, shall be liable to a penalty of one hundred dollars, to be recovered by order of the auditor general, in an action of debt in which the commonwealth shall be plaintiff, by the district attorney of the proper county, the one-half thereof to go to said district attorney and the other half for the use of the poor of the proper poor district.

Penalty on companies, firms, &c., for neglecting to make report.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 33.

An Act

For the re-draining of wet and swampy lands.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any contiguous swampy or wet lands, belonging to several owners disjunctly, and that have been once drained, and the drain or drains, or any part thereof, are not properly opened and in good condition, shall be re-drained, under the following regulations, et cetera:

Lands to be re-drained in certain cases.

SECTION 2. Upon a petition of one or more of said owner or owners of such swampy or wet lands, the court of quarter sessions of the county shall appoint three disinterested persons, who shall be commissioners, with power to view the wet

Court to appoint commissioners to view lands.

Commissioners to report to court if re-draining is practicable.

lands described in the petition, and if in their judgment to re-drain the same shall be practicable, they shall so make their report to the said court, at its next sitting, setting forth therein the names of the owners through whose land the said drain or drains need to be re-opened, and attach thereto a draft of the drain or drains to be re-opened with the dimensions thereof.

Upon presentation of report, court to order notice to be served on land owners.

SECTION 3. Upon the commissioners' report being presented to the court, it shall immediately order a written notice to be served, by a constable of the county, personally, upon each land owner, if within the commonwealth of Pennsylvania, mentioned in said report, through whose land the drain or drains need to be re-opened, ordering him or them to open the same through his or their land, at his or their own expense, according to the draft attached to the said commissioners' report, within a given time, to be fixed by the court, which shall not exceed sixty days, and to fail not so to do, under the penalty which may ensue: *Provided*, Such sixty days shall not include the months of December, January and February.

Constable who serves notices to make returns to clerk of quarter sessions.

SECTION 4. And it shall be the duty of the said constable, within ten days after the expiration of the time so set by the court, to make returns to the clerk of the court of quarter sessions of the county of the service of said notice, and the compliance or non-compliance with its orders, and if in such return he shall state that its orders have not been complied with, then a penalty of ten dollars a day, to be computed from the filing of the constable's said return with the clerk of quarter sessions, shall be imposed, until the said drain or drains shall be re-opened as aforesaid, upon the non-complying owner or owners of the land or lands mentioned in the constable's return, which shall be recoverable, in the name of the commonwealth, by any one or more of the said petitioning land owners, who will sue therefor, whenever and as often as any fifty dollars of such penalty may become due, before a justice of the peace, as debts of like amount are recoverable at law, with costs of suit, and one-half thereof shall be paid to the person or persons suing for and recovering the same, and the residue shall be paid into the treasury of the county, for the use of the directors of the poor.

Penalty on land owners for failing to re-open drains.

By whom costs to be borne.

SECTION 5. The costs of proceeding under this act shall be borne by the party or parties through whose land the drain or drains may be so re-opened; that all acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 34.

An Act

To confer additional powers of amendment upon the courts of this commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all actions pending or hereafter to be brought in the several courts of this commonwealth, said courts shall have power, in any stage of the proceedings, to permit an amendment or change in the form of action, if the same shall be necessary for a proper decision of the cause upon its merits; the party applying to pay all costs up to the time of amendment, and the cause to be continued to the next court if desired by the adverse party.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 35.

An Act

Relating to companies incorporated under the general mining laws of this commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the first section of the act approved April twelfth, one thousand eight hundred and sixty-seven, entitled "An Act authorizing the reduction of the capital stock of oil companies, and the equalization of the taxes relative thereto," be and the same are hereby extended and made applicable to all companies incorporated under the provisions of the act approved April twenty-first, one thousand eight hundred and fifty-four, entitled "An Act to enable joint tenants, tenants in common and adjoining owners of mineral

Certain provisions extended to all companies incorporated under act of 21st of April, 1854.

lands in this commonwealth, to manage and develop the same," and the supplements thereto.

Directors of companies, incorporated under certain act, not to sell mines, &c., without consent of stockholders.

SECTION 2. That the directors of any mining company incorporated under an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved July eighteenth, Anno Domini one thousand eight hundred and sixty-three, shall not have power to sell, convey or lease any mine or mines, held by said company, without having first obtained the written consent of the stockholders owning the majority of the stock; and so much of the provisions of any act, or the supplement to any act, as are inconsistent herewith, be and the same are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 36.

An Act

Relative to the opinions of the supreme court.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the second section of the act approved the sixth day of March, Anno Domini one thousand eight hundred and twelve, entitled "An additional supplement to an act, entitled 'An Act to alter the judiciary system of the commonwealth,'" be and the same is hereby repealed; and it shall be the duty of the judges of the supreme court to give their opinion in writing, and file the same of record, upon every point on which a judgment of reversal shall be entered in said court, and in such other case as the majority of the said judges shall deem of sufficient importance to require their opinion to be reduced to writing and filed of record.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 37.

A Supplement

To an act, entitled "An Act to revise, amend and consolidate the laws taxing corporations, brokers and bankers," approved May first, one thousand eight hundred and sixty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met. and it is hereby enacted by the authority of the same,* That the fifteenth section of the act to which this is a supplement shall not be construed to apply to loan or building associations incorporated by the courts of common pleas, in accordance with the provisions of the act approved April twelfth, Anno Domini one thousand eight hundred and fifty-nine, and the supplements thereto.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 38.

An Act

Exempting members of the National Guard of Pennsylvania from jury service.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of a supplement, approved March thirty-first, Anno Domini one thousand eight hundred and seventy, to an act, entitled "An Act to establish a mode of selecting and drawing jurors in and for the city of Philadelphia," approved April twentieth, Anno Domini one thousand eight hundred and fifty-eight, relative to exemption from service as jurors, shall not be so construed as to extend to any commissioned officer, non-commissioned officer, musician or private of the National Guard of Pennsylvania who has uniformed himself, or shall hereafter uniform himself, according to the provisions of the militia laws of this commonwealth,

and who shall faithfully serve as a member of any organization of said National Guard; but that each and every such person shall, on presentation to the court the certificate of his commanding officer, if a non-commissioned officer or private, that he is an equipped, active member in good standing, or of his commission, if an officer then in commission, be exempt from serving as a juror, if he so desires, during the period of such military service.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 39.

An Act

Relative to actions of replevin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all actions of replevin now pending or hereafter brought to recover timber, lumber, coal or other property severed from realty, the plaintiff shall be entitled to recover, notwithstanding the fact that the title to the land from which said property was severed may be in dispute: *Provided*, Said plaintiff shows title in himself at the time of the severance.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 40.

A Supplement

To an act relating to assignees for the benefit of creditors and other trustees, approved June fourteenth, one thousand eight hundred and thirty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter any trustee, guardian, executor or administrator appointed by any court in this commonwealth, or by virtue of any last will or testament, may lawfully execute the duties of his trust, whether a resident of the county in which the trust was created, or in which the decedent had his domicile or not; but the court or officers having jurisdiction of the accounts of any such trustee may, in its discretion, appoint or refuse to appoint as trustee, guardian or administrator, any persons who are not residents of the state, requiring in all cases of a non-resident of the state a bond with sufficient sureties conditioned for the faithful discharge of the duties of the trust: *Provided,* That no person residing out of the state shall be appointed without the consent of the proper court.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 41.

A Further Supplement

To an act, entitled "An Act relating to executors and administrators," approved twenty-fourth February, one thousand eight hundred and thirty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever any personal property, or the increase, profits or dividends thereof, has been or shall hereafter be bequeathed

to any person, for life or for a term of years, or for any other limited period, or upon a condition or contingency, the executor or executors, administrator with the will annexed, or trustee or trustees under such will, as the case may be, shall deliver the property so bequeathed to the person entitled thereto, upon such person giving security, in the orphans' court having jurisdiction of the accounts, in such form and amount as, in the judgment of the court, will sufficiently secure the interest of the person or persons entitled in remainder, whenever the same shall accrue or vest in possession; and any married woman availing herself of the benefits of this act shall have power, as a *feme sole*, to bind her separate estate and property, by any obligation given by her, as security under this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 42.

An Act

Relative to the duties charged upon sales of foreign merchandise by auctioneers.

Tax upon sales
of foreign mer-
chandise by
auctioneers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of December next the tax or duty payable by auctioneers upon sales of goods, wares or merchandise of foreign growth or manufacture, by virtue of any law of this commonwealth, shall be no greater than upon similar sales of goods, wares or merchandise of American growth or manufacture; and all former laws or parts of laws at variance with this act shall be and are hereby repealed.

Amount to be
paid for com-
missions.

SECTION 2. On and after December first next the amounts to be paid for commissions, for one year, as auctioneers in this commonwealth, shall be as follows, viz :

For a commission of the first class, three thousand dollars.

For a commission of the second class, two thousand dollars.

For a commission of the third class, twelve hundred and fifty dollars.

For a commission of the fourth class, seven hundred and fifty dollars.

For a commission of the fifth class, two hundred dollars.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 43.

An Act

To prohibit the sale of academic degrees.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall not be lawful for any university, college or other institutions incorporated under the laws of this state, with power to grant academic degrees, honorary or otherwise, to confer the same upon any person or persons upon the payment, or promise of payment, by any person, in consideration thereof; and any person knowingly signing a diploma, or other instrument of writing purporting to confer an academic degree, when such consideration has been paid, or promised to be paid, shall be guilty of a misdemeanor, and on conviction thereof be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment not exceeding six months, or both, or either, at the discretion of the court.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY

No. 44.

An Act

Relating to state roads, giving the courts power to fix their width.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where the width of a state road, laid out under and by virtue of the provisions of an act of assembly authorizing the same, has not been fixed and determined either by the action of the legislature or by the courts of the proper county wherein the report of the commissioners appointed to view and lay out has been presented and ordered to be filed, the several courts of quarter sessions of this commonwealth are hereby authorized and empowered, in their respective counties, upon the presentation of a petition for that purpose, to fix the width of all such roads; such width not to exceed fifty feet in any case.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-second day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 45.

An Act

To authorize the liquidation of damages sustained by citizens of Pennsylvania during the late rebellion.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the claims of the citizens of the counties of York, Cumberland, Adams, Franklin, Fulton, Bedford and Perry, for extraordinary losses sustained during the rebellion, as adjudicated under several acts of assembly, approved sixteenth April, Anno Domini one thousand eight hundred and sixty-two, twenty-second April, Anno Domini one thousand eight hundred and sixty-three, fifteenth February, Anno Domini one

Claims of certain counties to be revised by commissioners.

thousand eight hundred and sixty-six, and ninth April, Anno Domini one thousand eight hundred and sixty-eight, be subjected to a careful revision by two commissioners in the county of York, two in the county of Franklin, two in the county of Adams, two in the counties of Cumberland and Perry, and two in the counties of Fulton and Bedford, to be appointed by the president judges of the courts of common pleas of said several counties; and the governor shall appoint competent counsel to represent the government in the revision of said claims before the several commissions; and said commissions shall re-examine and re-adjudicate all of said claims, and may reject or diminish any now on file as equity may require, but not increase the amount of any, excepting the claim of the German Reformed church, represented by S. R. Fisher and company, which shall be equitably adjusted; and any claims which may have been assigned or transferred by the original claimant, the assignee or present owner of the same shall be required to make satisfactory proof of the amount actually paid for the claim; and the amount so paid shall be awarded and no more; and if any owner of an assigned claim shall fail to make such proof satisfactorily, the claim shall be rejected, and as said commissioners re-adjudicate said claim, they shall endorse their approval thereon for the amount allowed, and return the claims to the auditor general.

Number of commissioners, and how appointed.

Governor to appoint counsel to represent government.

Duty of commissioners.

Claims assigned, relative to.

SECTION 2. The state shall issue to each claimant, or to his, her or their proper representative, a certificate, or certificates, to the amount allowed on each claim, in the following form:

State to issue certificates to claimants.

Commonwealth of Pennsylvania—Certificate of adjudicated claim for war damages.

This is to certify that ——— has on file in the office of the auditor general a duly approved and registered claim for the sum of ——— dollars, as adjudicated under the act, entitled "An Act to authorize the liquidation of damages sustained by citizens of Pennsylvania during the late rebellion," and payable only when said claims shall be paid by the United States government. In testimony whereof we have hereunto set our hands, and the seal of the state, this ——— day of ———, A. D. 1871.

Which certificates shall be signed by the governor and state treasurer, and be registered and countersigned by the auditor general.

By whom to be signed, &c.

SECTION 3. It shall be the duty of the governor of the state to demand the payment of said claims by the general government, and also the payment of the amount heretofore paid by the state on said claims, and to appoint such agents for the purpose as may be deemed necessary; and any appropriation made by congress to said claims shall be wholly applied to the certificates authorized by the second section of this act, as congress may direct, until the same shall be paid in full: *Provided*, That this act shall not be construed to make the state in anywise responsible for or on account of said certificates.

Governor to demand payment of claims from general government.

To appoint agents.

Appropriations by congress to be applied to certificates.

State not responsible for certificates.

SECTION 4. That the commissioners and counsel authorized to be appointed by the first section of this act shall be paid

Compensation of commissioners and counsel.

eight dollars for each day, not exceeding sixty days, actually employed in pursuance of their appointment; and their compensation, together with the necessary expenses of the said certificates, shall be audited in the usual manner, and be paid on the warrant of the governor, out of any money in the treasury not otherwise appropriated.

JAMES H. WEBB,

Speaker of the House of Representatives.

J. D. DAVIS,

Speaker of the Senate *pro tem*.

APPROVED—The twenty-second day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 46.

A Further Supplement

To an act relating to orphans' court, approved the twenty-ninth day of March, one thousand eight hundred and thirty-two, regulating the sale of real estate by executors, administrators or trustees.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Court may order costs to be paid on confirmation of sales under proceedings in partition.

That in all cases of sales of real estate, in proceedings on writs of partition and valuation in the orphans' court, it shall and may be lawful for the court to order and decree that the costs and expenses upon said proceedings, including a reasonable compensation to the executor, administrator or trustee, by whom said sales shall be made, shall be paid, on the confirmation of such sale, by the court; and that the purchaser or purchasers shall enter into recognizance in the orphans' court, with sufficient surety, to be approved of by said court, for the payment of the balance of the purchase money to the widow and heirs, or legatees, who may be entitled to the same.

May order purchasers to enter into recognizance.

Before suit commenced in recognizance, persons entitled to money to give refunding bonds.

SECTION 2. Before any suit or action shall be commenced on any recognizance entered into as aforesaid, the person or persons entitled to receive the money secured thereby, shall respectively give sufficient real or personal security, to be approved of by the orphans' court having jurisdiction, or a judge of said court, when the court is not in session, with condition, that if any debt or demand shall be afterward recovered against the estate of decedent or otherwise be duly made to appear, they will respectively refund the rateable part of such demand, and the costs and charges attending the recovery of the same, so far as such real estate would have been liable to such demand if it had remained unsold;

but if the person or persons entitled to receive the same is Otherwise their shares to be invested. or are unable to give the security aforesaid, then the money shall be put at interest, as directed in the forty-first section of the act of February twenty-fourth, one thousand eight hundred and thirty-four, entitled "An Act relating to executors and administrators."

SECTION 3. The recognizance aforesaid shall be a lien on Recognizance a lien until paid. the real estate so as aforesaid sold, until fully paid or satisfied.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 47.

An Act

For the protection of salmon, black bass and other food fishes newly introduced, or to be introduced into the rivers Delaware and Susquehanna and their tributaries; for the protection also of closes against unlawful fishing, and to prevent the introduction of predatory fishes into trout streams, and for other germane purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall be unlawful for any person or persons to take, catch or kill, by any means or device whatsoever, any salmon or *salmo, salar* or *gristes salmoides*, commonly known as black bass of the south, or southern bass, in the Delaware or the Susquehanna rivers, where said streams are under the jurisdiction of this state, or in any of their Pennsylvania tributaries, until the first day of August, Anno Domini one thousand eight hundred and seventy-three: *Provided nevertheless,* That the accidental taking of salmon or *gristes salmoides*, commonly called black bass of the south, shall not be construed to be a violation of this act, if the same shall be immediately returned alive into said rivers and tributaries. Catching salmon or black bass prohibited for certain period. Proviso.

SECTION 2. That the fact of any person or persons having such salmon, *salmo, salar* or *gristes salmoides*, commonly called black bass of the south, in their possession, in any or either of the counties bordering upon the said Delaware or Susquehanna rivers, or their tributaries, shall be accepted as Possession of said fishes, evidence of violation of act.

Proviso.

Not to prevent stocking of other waters.

Penalty for violating sections one and two.

Taking Susquehanna salmon, pike, perch or jack salmon, during spawning time, prohibited.

Proof of taking and penalty.

Proofs and penalties to apply to taking other fishes newly introduced.

Persons introducing other fishes, to give notice of fact.

prima facie evidence of their having been taken from the said rivers or their tributaries, in violation of the provisions of the first section of this act: *Provided*, That such fishes planted and retained in private ponds shall be at the disposal of their owners.

SECTION 3. That nothing in this act, or in any of the sections of this act contained, shall be so construed as to prevent the commissioner or commissioners of fisheries of states riparian to the said streams, from obtaining fishes aforesaid from the said streams, for the purpose of stocking other waters within the said states.

SECTION 4. Any person or persons violating any of the provisions contained in either of the first two sections of this act, shall, upon conviction thereof before any justice of the peace, pay a fine of five dollars for each and every fish so taken or had in possession, without being able to prove that they were not taken from the said rivers or streams; one-half of the said fine to go the prosecutor, and the other half to the school directors of the school district in which the offence shall have been committed, or presumed to be committed, by their being had in possession, for school purpose only, and in default of the payment of said fine to undergo an imprisonment in the jail of the county in which they shall have been convicted, for a term of ten days; the said fines to be sued for and recovered as debts of like amount are by law recoverable.

SECTION 5. The species commonly known as Susquehanna salmon, pike, perch, jack salmon, and by the scientific name of *stigostedium americanum*, shall henceforth not be taken in any of the streams meant to be included in this act, during their spawning time, that is to say between the first of February and the first of June in any year; and the mode of proof of such taking, and the penalty for the same, shall be the same as provided for the case of the salmon and the black bass in this act.

SECTION 6. And the said proofs and penalties, in the preceding sections of this act, shall apply equally to the taking of any newly introduced and approved food fishes, not previously known as inhabiting the said streams or any of their tributaries, including the Schuylkill river, for a period of three years from the said introduction of planting: *Provided*, That citizens of this state introducing or planting the said food fishes alive in the said waters at their own expense, or the fish commission of the state introducing or planting such food fishes at the public expense, shall have given public notice of the fact, its day and date, with reference to this act, in one or more public journals of the county within the jurisdiction of which the planting shall have taken place, by advertisement or gratuitous notice, for the length of time ordinarily deemed sufficient legal public notice in such county; and in such notice the genus and species of the fish planted shall be intelligibly described, so that there can be no mistake as to its identity; its accepted scientific name or names, in the technical as well as the English language, to be deemed and taken however as sufficient: *And provided*, Such plant-

ing shall be approved in writing by the commissioner of inland fisheries of the state, or in case such commission shall not exist, then by any resident judge of any of the courts of the said county.

Planting of fishes to be approved by commissioner of fisheries.

SECTION 7. No person shall place in any fresh water stream, lake or pond, without the consent of the owner, or in shore, waters and estuaries, with the rivers debouching into them, any lime or other deleterious substance with the intent to injure fish, or any drug or medicated bait with intent thereby to poison or catch fish, nor place in a pond or lake stocked and inhabited by trout or black bass any drug or other deleterious substance, with intent to destroy such trout or bass, nor place in any fresh water pond or stream stocked with brook trout, any pike, pickerel, black bass or rock bass or other piscivorous fish, (salmon excepted,) without the consent of the owner or owners of such lands upon which such pond or stream is situated; any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and shall in addition thereto, and in addition to any damage he may have done, be liable to a penalty of one hundred dollars.

Persons prohibited from placing deleterious substances in fresh water streams, &c.

Penalty for violating section.

SECTION 8. No person shall at any time, with intent so to do, catch any speckled brook trout, or any speckled river trout, with any device save only with a hook and line, and no person shall catch any such trout, or have any such trout in his or her possession save only during the months of April, May, June and July, and the first fifteen days of August, under a penalty of five dollars for each trout so caught or had in his possession; but this section shall not prevent any person or corporation from catching trout in water owned by them, or upon their premises, to stock other waters, in any manner or at any time.

Catching brook trout except by hook and line, prohibited.

Penalty for catching trout out of season.

SECTION 9. Any person or persons or company engaged in the increase of brook trout by artificial process, (known as fish culture,) may take from their own ponds, in any way, and cause to be transported, and may sell brook trout, and the spawn of brook trout, at any time, and common carriers may transport them, and dealers may sell them, on condition that the packages thereof so transported are accompanied by a certificate of a justice of the peace, certifying that such trout are sent by the owner or owners or agent or parties so engaged in fish culture; and such persons or company may take, in any way, at any time, upon the premises of any person, under permission of the owner thereof, brook trout, to be kept and used as brook trout, for artificial propagation only, and for no other purpose.

Persons engaged in culture of brook trout may transport and sell same.

Packages to be accompanied by certificate of justice.

SECTION 10. Violation of any of the provisions in this act contained, from and including the sixth section to the end thereof, may be prosecuted by any citizen of the county in which said violation shall take place, before any justice of the peace or court of common pleas or quarter sessions in and for the said county; and funds paid as penalties shall be equally divided between the school directors of the proper district, for school purposes only, and the complainant or informant.

Prosecutions for violation of

Appropriation of penalties.

Sheriffs to order dismantling of fish baskets, kiddies, &c.

To proceed by force if order is not complied with.

Payment of costs.

Penalty on sheriffs for neglect of duty.

Repeal.

SECTION 11. On any of the streams or parts of streams contemplated by this act, and under the jurisdiction of this commonwealth, to which anadromous or migratory fishes shall now have access, by the non-existence of dams, or by openings in the dams, whether intended or not to facilitate such access, and in whatever of the reaches or spaces below or between dams, such planting of new species shall have taken place as is herein contemplated, the sheriffs of the counties having jurisdiction of such reaches of the streams, whenever they shall discover or be informed of the existence of such contrivances for the catching of fish as are commonly known as fish baskets, eel weirs, kiddies, brush or fascine nets, or any other permanently set means of taking fish, in the nature of a sieve, which are known to be wasteful and extravagant modes of fishing, the said sheriffs shall give ten days' notice in two newspapers of their respective counties, that the said contrivances are known to exist and are declared common nuisances, ordering them to be dismantled by their owners or managers, so as to render them no longer capable of taking or injuring the fishes of the streams of whatever kind; and if at the expiration of the said ten days the dismantling shall not have taken place, then the said sheriffs shall proceed, with such force good men of the county as may be necessary for the purpose, and destroy or dismantle the said fish baskets, kiddies, eel weirs or such other devices contemplated by this section, so that they may be no longer capable of taking or injuring fish; and the accounting officers of the counties shall make good the cost of the said proceedings to the said sheriff or sheriffs in the settlement of their accounts with the said sheriffs; and if upon being duly informed by a reputable citizen of the county that said nuisances are in existence and require abatement, the said sheriff or sheriffs shall not proceed as directed in this act, then he or they, upon conviction in the county court of the said neglect of duty, shall be fined not less than one hundred nor more than one thousand dollars for every such neglect; said fines to be collected as ordinary fines are collected, and the proceeds divided equally between the informer or complainant and the school directors of the proper district, for school purposes only; this section is not intended to supersede any other law of this commonwealth for the suppression of fish baskets, et cetera, if the same be found efficacious to destroy or abolish them.

SECTION 14. All acts or parts of acts inconsistent herewith are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 48.

An Act

To provide for the purchase of a fire-proof safe for the use of the prothonotary of the supreme court for the Middle district.

WHEREAS, It is represented that certain valuable records and papers in the official custody of the prothonotary of the supreme court for the Middle district are without sufficient and adequate protection from fire:

And whereas, The destruction of said records and papers would involve irreparable loss both to the commonwealth and individuals; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sum of five hundred dollars, or so much thereof as may be necessary, be and the same is hereby appropriated out of the state treasury to purchase a fire-proof safe, for the use of the prothonotary of the supreme court for the Middle district; said amount to be expended under the direction of the said prothonotary, and to be paid to him by the state treasurer upon presentation of an authenticated bill for the said safe, including cost of transportation and handling, if any there be.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 49.

A Further Supplement

To an act, entitled "A further supplement to an act relating to orphans' courts," passed the twenty-ninth day of March, one thousand eight hundred and thirty-two, and the supplement, passed fourteenth of April, one thousand eight hundred and thirty-five, and the further supplement, passed fourteenth of April, one thousand eight hundred and forty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That whenever it shall happen that a devisee, legatee or distributee, being in his or her minority, shall reside out of this state, and the orphans' court in this state, having jurisdiction of the accounts of the executor, administrator or guardian, shall deem it advisable and proper, upon the petition of such executor, administrator or guardian having such estate, legacy or share of said minor in his or her possession, or on petition of said minor, or his or her guardian, duly appointed in that state where such minor resides, said court may make an order authorizing the executor, administrator or guardian in this state to pay over to the guardian in the state where said minor may reside such legacy, devise or distributive share as aforesaid; and upon such payment the said executor, administrator or guardian shall be entitled to a credit for the same, in his, her or their accounts: *Provided*, Said court shall not grant said order until they shall be satisfied by the certificate of the register, probate judge or other officer having jurisdiction of the accounts, et cetera, of said foreign guardian or otherwise, that the bond or other security given by said guardian, is sufficient to secure the faithful appropriation of the money or other funds so to be paid over.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 50.

An Act

To prevent frequent changes in school books.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the board of directors of any district, the controllers in cities and boroughs, or any school superintendent, shall not order or direct or make any change in the school books or series of text-books used in any school under his or their superintendence, direction or control, more than once in every period of three years; and any laws or parts of laws inconsistent herewith be and the same are hereby repealed.

SECTION 2. Any school director, controller or superintendent, who shall violate the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof

Directors, &c.,
not to order
change in books
oftener than
once in three
years.

Penalty for vio-
lating act.

shall be sentenced by the court to pay a fine, not exceeding two hundred dollars, and that he be deprived of his office.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 51.

An Act

To repeal the act of April twenty-ninth, Anno Domini one thousand eight hundred and forty-four, so far as it imposes a tax of two per centum on every dollar of salary and emolument of persons holding public office or offices held under corporations, trades, occupations and professions.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act approved April twenty-ninth, Anno Domini one thousand eight hundred and forty-four, as imposes a tax of two per centum on every dollar of salary and emoluments over two hundred dollars, of persons holding public office or offices, held under corporations; also so much of the act as imposes a tax of one per centum on incomes of tradesmen, occupation and professions, over two hundred dollars, is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 52.

An Act

To authorize a popular vote upon the question of calling a convention to amend the constitution of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Question of constitutional convention to be submitted to vote of people.

That the question of calling a convention to amend the constitution of this commonwealth be submitted to a vote of the people at the general election, to be held on the second Tuesday of October next, the said question to be voted upon in manner following, to wit: In counties and cities in which slip ticket voting is authorized by law, votes for and against a convention may be expressed and given upon the ticket, headed or endorsed with the word "state," and not otherwise; and the words used shall be "constitutional convention," and underneath "for a convention" or "against a convention;" and in counties or districts in which slip ticket voting shall not be authorized by law, each elector voting upon said question shall cast a separate ballot, endorsed on the outside "constitutional convention," and containing on the inside the words "for a convention" or "against a convention;" and all votes cast as aforesaid shall be received, counted and returned by the proper election officers and return judges as votes for governor are received, counted and returned under existing laws.

How voted upon.

How votes to be received, &c.

Election subject to general election laws. Sheriffs to give notice of act.

Returns to be laid before legislature.

SECTION 2. That the election aforesaid shall be held and be subject to all the provisions of law which apply to general elections; the sheriffs of the several counties shall give notice of this act in their election proclamation the present year, and the governor shall cause all the returns of the said election, as received by the secretary of the commonwealth, to be laid before the legislature at its next annual election.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 53.

An Act

To authorize married women owning capital stock of any railroad company to sell and transfer the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for any married woman, owning any share or shares of the capital stock of any railroad company, to sell and transfer the same with like effect as if she were unmarried.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 54.

An Act

For the further regulation of boroughs.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any application for the incorporation of a borough, under the general borough acts of first of April, one thousand eight hundred and thirty-four, and third of April, one thousand eight hundred and fifty-one, shall be laid before the grand jury at the same term of the court when presented, whenever the same can be conveniently done, and in no case later than the next subsequent term of the court, and shall be signed by the petitioners whose names are attached thereto, within the three months immediately preceding its presentation to the court; and public notice of the intended application for a borough charter shall be given in at least one newspaper of the proper county, for a period of not less than thirty days immediately before the petition shall be presented; the foregoing regulations shall also apply to any application to a court of competent jurisdiction under the said acts, or either

Regulations for
incorporation of
boroughs.

Change of bo-
rough limits.

of them, for a change of borough limits, or to annul or alter a borough charter, or to bring a borough created or regulated by special laws under the operation of the aforesaid act of third of April, one thousand eight hundred and fifty-one.

Number of members of town council fixed.

Courts may authorize chief executive officer to serve as member of council.

Elections for councilmen.

How vacancies to be filled.

On extension of borough limits, plot to be filed in quarter sessions.

Notice to be published.

Appeal to court from ordinance annexing territory, authorized.

Powers of court,

SECTION 2. The number of members of any town council of a borough where the number is now fixed at five, shall be hereafter six, and in boroughs hereafter incorporated under general laws, the number of such councilmen shall be six; but the several courts of the commonwealth, having jurisdiction to incorporate boroughs may, in granting an incorporation, or upon application made to them for the purpose, fix or change the charter of any borough so as to authorize the burgess or chief executive officer thereof to serve as a member of the town council, with full powers as such, and to preside at the meetings thereof.

SECTION 3. In elections for members for town councils each voter may, at his option, bestow his votes singly upon six candidates, or cumulate them upon any less number, in the manner authorized by the fourth section of the act to define the limits and to organize the town of Bloomsburg, approved March fourth, one thousand eight hundred and seventy; and vacancies in any such council shall be filled in the manner provided in the fifth section of the same act; but nothing herein contained shall be held to regulate or affect the manner of choosing the burgess or other principal executive officer of a borough, even when he shall be authorized to serve as a member of the town council.

SECTION 4. Whenever the borough authorities shall extend the limits of such borough, they shall file a plan or plot of such extension in the office of the court of quarter sessions of the proper county, and notice thereof shall be published in at least two of the newspapers published in the county; and any citizen of the borough, or of the territory annexed, shall have the right to appeal from the ordinance of the town council, annexing such territory, to the court of quarter sessions of said county, within thirty days of the filing of such plan or plot; and thereupon the said court shall have power, at its discretion, to decree or refuse such extension of borough limits, in the same manner as under the third section of the act of first of April, Anno Domini eighteen hundred and thirty-four, relating to boroughs.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy one.

JNO. W. GEARY.

No. 55.

A Further Supplement

To an act, entitled "An Act for the organization, discipline and regulation of the militia of the commonwealth of Pennsylvania," approved May fourth, one thousand eight hundred and sixty-four, and to the various supplements thereto.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That in the city of Philadelphia the division board, heretofore referred to, shall divide the city of Philadelphia into as many military districts as they may deem expedient, and appoint, from amongst the uniformed members of the said First division, a canvasser for each district, who shall, between the first and tenth days of December, both days included, annually canvass his district, and enroll all the names of citizens residing therein between twenty-one and forty-five years of age, and liable to be enrolled for military duty by the laws of the United States and of this state; each canvasser shall, at the time of making said enrolment, notify each person enrolled by him, by leaving at the residence or place of business of such person a written or printed notice, in substance as follows, namely :

Division board, Philadelphia, to district city and appoint canvassers.

Canvassers to enroll citizens liable to militia duty.

To notify persons enrolled.

FIRST DIVISION N. G. OF PENNSYLVANIA, }
Philadelphia, ——— —, 18—.

To ——— :

You are hereby notified that you have been enrolled and returned to the division receiver as liable to militia duty, and unless you appear and show cause, if any you have, why you should not be holden to perform such duty, on or before the ——— day of ———, the commutation assessment of one dollar, in lieu of such duty, will be levied and collected by said receiver; and if the said commutation assessment be not paid on or before the first day of July next, the usual penalty for delinquency, together with the costs for collecting, will be added thereto. The officer for hearing appeals and for the collection of the commutation assessment is at No. ——— street; office hours from nine A. M. to three P. M., and from seven to nine on Monday evenings.

A ——— B ———;

Canvasser of the district, One division N. G.

The names of persons enrolled liable to militia duty shall be copied from the canvassers' books into such number of books, and in such manner as the division board shall direct, by the division receiver, at the completion of each annual enrolment; any person claiming that he is not liable to military duty by the laws of this state or of the United States may, on or before the day specified in such notice, and not after,

Names to be copied by division receiver.

Persoms claiming to be exempt may deliver affidavit to division receiver.

False swearing.

After first July, division receiver to make certain notes opposite names.

Certain persons not required to file more than one affidavit.

Duties of assessors imposed upon canvassers

Compensation.

After first July, division receiver may proceed to collect commutation assessments remaining unpaid.

Construction of seventy-fifth section of former act.

Judge advocate general to be added to staff of commander-in-chief.

His duties.

deliver to the division receiver an affidavit, stating such facts on which he claims to be exempt or not liable to military duty; such affidavit may be made before the division receiver, or any person authorized to administer oaths and affirmations, and the division receiver shall cause all such affidavits to be filed in his office; and if any person shall swear falsely in such affidavit he shall be deemed guilty of perjury; after the expiration of the first day of July, in each year, the division receiver shall cause to be noted opposite the names of all persons enrolled, who shall have neglected or refused to comply with the notice given them, the word "liable," and add to the commutation assessment heretofore provided the sum of one dollar and twenty-five cents, as penalty and cost for collecting the same; and opposite the name of each person not liable to duty, insert the word "exempt" or "not liable," as the case may be, and opposite the names of all uniformed members of companies upon such roll the letters "U. C.," and against the name of any military officer in commission, and liable to duty, the title of his office; and shall also insert against the names of persons between the ages of eighteen and twenty-one years "minor;" but if such person will have arrived at the age of twenty-one on or before the first day of July next after such enrolment, then the designation last above provided need not be made: *Provided*, That no person who shall be found forever not liable to perform military duty by any law of the United States or of this state shall be required to file more than one such affidavit in the office of the division receiver, but all persons claiming only temporary exemption under said laws shall be required to file annually one such affidavit so long as such temporary exemption exists.

SECTION 2. All the duties imposed upon and privileges granted to the assessors, by the acts to which this is a supplement, shall be and the same are hereby imposed upon and granted to the canvassers provided for herein: *Provided however*, That the compensation for services to be paid such canvassers shall be determined by said division board.

SECTION 3. That upon and after the first day of July, in each and every year, all commutation assessment remaining due and unpaid shall be considered, and the same is hereby declared to be delinquent, and the division receiver may at once proceed to collect the same as any taxes are now directed by law to be collected within this commonwealth.

SECTION 4. That section seventy-five, division one, of the act of one thousand eight hundred and sixty-four, shall not mean to include any street or public highway within the city of Philadelphia.

SECTION 5. That there shall be added the staff of the commander-in-chief, one judge advocate general, with the rank of brigadier general, who shall be appointed and hold his commission under the provisions now made for the other officers on the staff of the commander-in-chief; the duties of the judge advocate general shall be correlative with those discharged by the judge advocate general of the United States army.

SECTION 6. That whenever an officer shall be re-commissioned, within six months after the expiration of his original

commission, in the same grade in which he has served in the National Guard, his new commission shall bear date even with and he shall take rank from the date provided for in his former commission.

Dates of commissions of officers re-commissioned in same grade.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 56.

An Act

Authorizing the governor to procure flags or standards for the regiments of the National Guard of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor of the commonwealth be and he is hereby authorized to procure for each regiment of the National Guard of Pennsylvania, formed or to be formed, a regimental flag or standard of similar style to those presented by the state to the Pennsylvania regiments of the late war, to be inscribed with the proper number and name of the regiment to which it is to be presented, only on the certificate to the governor of the major general commanding the division, that such regiment is in proper organization, and conditioned to be entitled to receive the same; and the said regimental flag or standard, as required on the certificate of the major general aforesaid, shall be paid for on the warrant of the governor, out of any moneys in the treasury not otherwise appropriated.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 57.

An Act

Repealing an act, entitled "An Act repealing an act regulating the inspection of fish, and to prevent fraud in vending the same."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act repealing an act regulating the inspection of fish, and to prevent fraud in the vending of the same," approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-eight, be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 58.

An Act

To repeal an act, entitled "A supplement to the act providing for the taking of game, approved the first day of April, Anno Domini one thousand eight hundred and sixty-nine," said supplement being approved on the fifth day of April, Anno Domini one thousand eight hundred and seventy, and also construing the second section of the act approved the ninth day of April, Anno Domini one thousand eight hundred and seventy, entitled "A supplement to an act providing for the taking of game."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act approved the fifth day of April, Anno Domini one thousand eight hundred and seventy, entitled "A supplement to the act providing for the taking of game," approved the first day of April, Anno Domini one thousand eight hundred and sixty-nine, be and the same is hereby repealed.

Act of 5th April,
1870, repealed.

SECTION 2. That the true intent and meaning of section two of an act approved the ninth day of April, Anno Domini one thousand eight hundred and seventy, entitled "A supplement to an act providing for the taking of game," is that the same only applies to and is of force and effect in the counties mentioned in the first section of said act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 59

An Act

Relating to clandestine marriages.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That no justice of the peace, clergyman, minister, or other person who shall take upon himself to perform the marriage ceremony, shall be liable for the penalty for joining in marriage persons under the age of twenty-one years, as provided in the second section of an act, entitled "An Act to prevent clandestine marriages," approved February fourteenth, Anno Domini one thousand seven hundred and twenty-nine, unless such justice of the peace, clergyman, minister, or other person performing the marriage ceremony, shall, at the time of joining them in marriage, knowingly or wilfully perform such marriage ceremony in disregard of the provisions of the first section of the act aforesaid.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 60.

A Further Supplement

To an act, entitled "An Act to prevent waste in certain cases in this commonwealth," approved the twenty-ninth day of March, one thousand eight hundred and twenty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a writ of estrepment to stay waste may be issued, agreeably to the provisions of the act to which this is a further supplement, in all cases after judgment obtained on *scire facias* on mortgage, or after proceedings instituted to collect a debt secured by mortgage upon any leasehold estate or estates, for a term of years, upon the proper affidavit being made as required by said act, the court out of which said writs shall issue shall have power and authority to dissolve, modify or restrict said writs, to require security, and to make such order in the premises as to them shall seem equitable and just, and to enforce such orders by attachment if necessary.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 61.

An Act

Amendatory to an act, entitled "An Act for the punishment of cruelty to animals in this commonwealth," approved March twenty-ninth, one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the first section of an act, entitled "An Act for the punishment of cruelty to animals in this commonwealth," approved March twenty-ninth, one thousand eight

Payment of penalties, relative to.

hundred and sixty-nine, as requires the payment of one-half of any fine to be paid to any informer, be and is hereby repealed; and that from and after the passage of this act all fines and penalties imposed by any alderman or magistrate, under said act of March twenty-ninth, one thousand eight hundred and sixty-nine, shall be payable to the Pennsylvania society for the prevention of cruelty to animals.

SECTION 2. That all acts and parts of acts inconsistent herewith are hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY:

No. 62.

A Supplement

To an act, entitled "An Act to provide for the incorporation of gas and water companies," approved the eleventh day of March, one thousand eight hundred and fifty-seven, and extending the same to bridge companies, and also for increasing the capital stock of said companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the twelfth and thirteenth sections of the act to which this is a supplement shall be and are hereby extended to all gas, bridge and water companies incorporated under any special law of this commonwealth prior to the passage of the said act.

Twelfth section of act of 11th March, 1857, extended.

SECTION 2. That the president and managers or board of directors of any of said companies shall be empowered and they are hereby authorized, whenever they have created or shall erect and construct any new buildings, or any new and material improvements, such as are authorized by their respective charters, to issue certificates of stock to the amount of the cost of such buildings or improvements.

When new improvements are created, president may issue certificates of stock.

BUTLER B. STRANG,
Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 63.

A Further Supplement

To an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the eighteenth day of July, one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act relating to corporations for mechanical, manufacturing, mining and quarrying purposes," approved the eighteenth day of July, one thousand eight hundred and sixty-three, and of the supplements thereto, approved the twenty-ninth day of April, one thousand eight hundred and sixty-four, are hereby extended to and shall include any horticultural or agricultural business, as well as the business of raising and growing of trees, plants, seeds and grains.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 64.

An Act

To repeal the first section of an act, entitled "A supplement to the act providing for the taking of game, approved the first day of April, Anno Domini one thousand eight hundred and sixty-nine," said supplement being approved on the fifth day of April, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first section of an act approved the fifth day of April, Anno Domini one thousand eight hundred and seventy, entitled "A supplement to the act providing for the taking of game, approved the first day of April, Anno Dom-

ini one thousand eight hundred and sixty-nine," be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 65.

An Act

In relation to the allotment of prisoners to the Eastern and Western penitentiaries.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the counties of Cameron, Potter, Clinton, Centre, Mifflin, Juniata and Fulton, from and after the passage of this act, shall be and the same are hereby attached to the Western district of Pennsylvania, so far as regards the punishment of offenders convicted in said counties; and all prisoners from said counties, who are now imprisoned in the Eastern penitentiary, at Philadelphia, shall be transferred to the Western penitentiary, at Allegheny, under the direction of the inspectors of both penitentiaries, there to serve out the unexpired term of their respective sentences, and in accordance with the laws in force in reference to the punishment of persons convicted of crime, and sentenced to the state prisons.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 66.

An Act

Authorizing the governor to issue commissions to certain officers of Pennsylvania volunteers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor be and is hereby authorized to issue commissions in the cases of all such officers of Pennsylvania regiments or companies who, during the late civil war, after being regularly mustered into the service of the United States, died, were killed or honorably discharged therefrom prior to receiving their commissions.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 67.

An Act

Supplementary to an act relating to the jurisdiction and powers of courts, approved the sixteenth day of June, Anno Domini eighteen hundred and thirty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it is hereby declared to have been the true intent and meaning of the several acts and parts of acts of assembly of this commonwealth, conferring jurisdiction upon the different orphans' courts, that the powers and jurisdiction of said courts shall extend to and embrace all cases in which any citizen or citizens of this commonwealth shall demand an account and payment of their claims as creditors, devisees, legatees, or other *cestui que trust* of any executor, administrator or guardian, who may have been or may hereafter be served within this commonwealth, with citation or other pro-

cess, requiring an account, distribution or payment of assets, without regard to the domicil of the decedent, or the place in which said assets have been or may hereafter be received; and the said orphans' courts are hereby empowered and directed to give relief to all citizen claimants against all executors, administrators and guardians, found or to be found within this state, although the fund or assets of said estate may have been, or may be collected or received, or subject to the defendant's control outside of the state.

SECTION 2. That all acts or parts of acts inconsistent herewith, be and the same are hereby repealed.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 68.

A Supplement

To an act relating to orphans' courts, approved March twenty-ninth, Anno Domini one thousand eight hundred and thirty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the fourteenth section of an act, entitled "An Act relating to orphans' courts," approved March twenty-ninth, Anno Domini one thousand eight hundred and thirty-two, be and they are hereby extended to include the public debt of the city of Williamsport.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 69.

An Act

Providing for the entry of certain proceedings on the judgment indexes of the several courts of this commonwealth.

Proceedings in lunacy, against decedents estates, &c., to be entered on judgment index.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That when any proceedings in lunacy, habitual drunkenness, to revive and continue the lien of debts against a decedent's real estate by bill or otherwise, or a petition to declare void any agreement, deed or other paper or proceeding conveying or vesting title to real estate in this commonwealth, or any other proceeding by which purchasers of real estate would be deemed to have had constructive notice, shall have been commenced in any of the courts of this commonwealth, it shall be the duty of the several prothonotaries and clerks to enter the same upon the judgment indexes or dockets of said courts, and to certify the same as liens, in any certificate of liens that they may be required to make by virtue of their office.

Final decrees to be recorded within six months.

SECTION 2. That when a final decree in any of the proceedings aforesaid shall have been made, (except in proceedings to continue the lien of debts against a decedent's estate,) it shall be the duty of the proper officer of the court, the persons interested in the same, within six months after the same shall have been made, to procure a certified copy of said decree, under a full and clear caption of the case, and have the same recorded in the same manner that deeds are now recorded in the recorder's office of the respective county, with like effect; and should any such decree be set aside, amended or superseded, the order of court so amending or superseding, shall be certified and recorded in like manner.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 70.

A Supplement

To an act, entitled "An Act for draining swampy and wet lands," approved April fifth, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the court of quarter sessions before which proceedings shall be had, is hereby authorized and required, when the report of the commissioners is confirmed, to make the necessary charter, giving the owners of swamp lands, which by the aforesaid act are made a body corporate, the necessary powers to carry out the intention of the act to which this is a supplement, and also to give a name to said corporation and fix the time and place for its first meeting.

Court of quarter sessions to make charter.

To name corporation, &c.

SECTION 2. The said corporation, when organized, shall have power to lay and collect assessments; which assessments shall be made in the proportion indicated by the commissioners in their report; and said assessments or tax, until paid, shall be a lien upon or against the real estate and the personal property that may be upon the same, belonging to the real owner of said swamp or part of said swamp lands.

Corporation may lay and collect assessments.

SECTION 3. When authorized by the corporation, it shall be the duty of the president, assisted by the secretary, to make an assessment, in accordance with the meaning of the act to which this is a supplement; and a duplicate, with his warrant, to the treasurer of said corporation, shall be his authority to collect said assessment as county rates and levies are collected; and said corporation shall not have power to assess or collect for any other purpose than that authorized by this act, and the act to which this is a supplement.

Duties of officers

SECTION 4. The eighth section of the act to which this is a Repeal. supplement is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 71.

An Act

To promote industrial partnerships.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Employees may be allowed interest in profits without partnership liability.

That individuals and corporations employing labor may give to employees, in addition to regular wages, or in lieu thereof, a conditional interest in the profits of the business, to be regulated and determined by agreement between the parties; and the employee receiving such conditional share of profits shall not by reason thereof be deemed liable for the debts or losses of the business, or have any voice in the management, except in so far as may be clearly defined in the constitution or agreement under which the association is organized or operations conducted.

SECTION 2. That any manufacturing, mining or improvement company, firm or partnership, now doing business under the laws of this commonwealth, or which may hereafter be chartered, may, without change of name, accept the provisions of this act and organize its business in accordance therewith, first giving notice to the auditor of its intention so to do, and filing with him a statement of the capital to be employed and in what it consists, and a copy of the articles of agreement or constitution and by-laws by which the operations of the company or association is to be governed.

Firms and partnerships may accept provisions of act without change of name.

SECTION 3. That no company shall be entitled to the benefits of this act which shall not, in its agreement or articles of association, filed with the auditor general as aforesaid, provide for the distribution of at least one-half of the net profits of its business to its employees, after paying a dividend of not more than ten per centum per annum upon its stock.

Additional requirements.

SECTION 4. All act and parts of acts in conflict with the provisions of this act are hereby repealed.

Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 72.

A Supplement

To an act approved April ninth, one thousand eight hundred and sixty-seven, entitled "A further supplement to an act for the regulation and continuance of a system of education by common schools."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act approved April ninth, one thousand eight hundred and sixty-seven, so far as they relate to city or borough superintendents, be and they are hereby extended to cities and boroughs with a population of over seven thousand inhabitants: *Provided,* This act shall not apply to the city of Philadelphia.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 73.

A Supplement

To the act of March twenty-ninth, one thousand eight hundred and three, entitled "An Act to establish a board of wardens for the port of Philadelphia, and for the regulation of pilots and pilotage, and for other purposes therein mentioned."

WHEREAS, The interests of commerce in the port of Philadelphia requires that all vessels arriving at said port shall report and register at the office of the wardens:

And whereas, The laws for the enforcement of the ordinances of the board of port wardens are inadequate to accomplish the purposes for which said board was created; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all vessels over seventy-five tons burthen shall, within

twenty-four hours after arrival at the port of Philadelphia, report and register at the office of the board of wardens for said port; and all proceedings for neglect to obey the harbor regulations, as at present existing, shall be held before any justice of the peace or alderman of the city of Philadelphia, and the proceedings for the enforcement of penalties, in all cases, shall be commenced by *capias*; all laws, or parts of laws, inconsistent with these laws, are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 74.

An Act

Relating to the assessment of damage for the appropriation of land for public use.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases of the appropriation of land for public use, other than for roads, streets or highways, it shall not be lawful to assess, apportion or charge the whole or any portion of the damage done to or value of the land so appropriated, to, among or against the other property adjoining or in the vicinity of the land so appropriated, nor the owners thereof; and all acts, or parts of acts, inconsistent herewith, are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

RESOLUTIONS

PASSED AT THE SESSION OF EIGHTEEN HUNDRED AND SEVENTY-ONE.

No. 1.

Joint Resolution

Extending the time for the report of the civil code commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the report of the commissioners appointed under the provisions of the act approved April tenth, one thousand eight hundred and sixty-seven, to revise the civil laws of the commonwealth, be extended to the first day of February.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixteenth day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 2.

Joint Resolution

Relative to a centennial celebration at Philadelphia.

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That the governor and three persons, to be appointed by him, William A. Wallace and James H. Webb, speakers of the senate and house, with three members of each branch of the legislature, to be appointed by the speakers of the senate and house, respectively, shall be a committee of the state of Pennsylvania, to co-operate with committees from other states and local committees upon the subject of centennial celebration, at Philadelphia, in one thousand eight hundred and seventy-

six; said committee to stand until that time and to report to each intervening legislature, and make such suggestions and recommendations, from time to time, to the legislature, as they may think proper and expedient in reference to said centennial celebration.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 3.

Joint Resolution

In relation to the distribution of Smull's Legislative Hand-Book.

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That the number of copies of Smull's Legislative Hand-Book, directed to be published annually, by the act of the twenty-seventh of March, Anno Domini one thousand eight hundred and seventy-one, entitled "A further supplement to the act of ninth of April, Anno Domini one thousand eight hundred and fifty-six, regulating the public printing and binding," shall be distributed among the senators and members of the house of representatives and senate, as follows, viz: one thousand to the senate, and two thousand to the house of representatives; and the said act is hereby amended to accord with this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

No. 4.

Joint Resolution

Authorizing additional compensation to the members and officers of the present legislature.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That for every day of this session of the legislature after the twelfth day of April, in this year, the senators, members of the house, officers and employees of the senate and house shall each be paid for each such day a sum equal to the amount which their pay would amount to, *pro rata*, for each day of this session, up to the said twelfth day of April, as provided for in the appropriation bill, and the state treasurer is hereby authorized and required to pay the same, on warrants drawn in the usual form; and that the persons employed by the clerks of the senate and house of representatives, in addition to those now authorized by law, shall receive the same pay as others in like positions during the present session.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 5.

Joint Resolution

Proposing an amendment to the constitution of Pennsylvania.

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the following amendment of the constitution of this commonwealth be proposed to the people for their adoption or rejection, pursuant to the provisions of the tenth article thereof, to wit:

AMENDMENT.

Strike out the sixth section of the sixth article of the constitution and insert in lieu thereof the following: "A state

treasurer shall be chosen by the qualified electors of the state, at such times and for such term of service as shall be prescribed by law."

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The fifteenth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

CERTIFICATE.

OFFICE OF THE SECRETARY OF THE COMMONWEALTH, }
Harrisburg, Pa., June 12, 1871. }

I hereby certify, that in obedience to the provisions of an act of the General Assembly, approved the eleventh day of February, Anno Domini one thousand eight hundred and fifty-one, I have selected and caused to be published the foregoing acts of the General Assembly, passed during the session ending the 27th day of May, 1871.

FRANCIS JORDAN,
Secretary of the Commonwealth.

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